

Land South of Dog Kennel Lane, Shirley, Solihull

Planning Statement

**Including Meeting Housing Needs Statement and Open
Space Statement**

Taylor Wimpey UK Ltd

11 December 2024



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- Appendix 1 Meeting Housing Needs (including Affordable Housing) Statement
- Appendix 2 SMBC Concept Masterplan – Site BL2
- Appendix 3 Officer's Report to Full Council and Position Statement, 8 October 2024

1.0

Introduction

1.1 This Planning Statement (hereafter referred to as ‘Statement’) has been prepared by Lichfields on behalf of Taylor Wimpey UK Ltd (“TW” or ‘Taylor Wimpey’) (‘the applicant’) in relation to the submission of an application for outline planning permission for residential-led development, including flexible commercial/retail/community space, a primary school and a care home, at Land South of Dog Kennel Lane, Solihull (‘the site’). The site is also referred to as ‘Hares Croft’.

1.2 The site, currently comprising several agricultural fields, is located to the south of Shirley, east of the B4102 Tanworth Lane and south of Dog Kennel Lane. The site boundary excludes the Grade II listed Light Hall building and adjacent residential houses, which are located within the northwest portion of the site. The land is owned freehold by Taylor Wimpey.

1.3 The site lies within the administrative area of Solihull Metropolitan Borough Council (“SMBC” or “the Council”). It also lies within Cheswick Green Parish and borders Dickens Heath Parish to the west.

1.4 The land was allocated for housing (BL2) in the draft Local Plan, which was well progressed before being recently withdrawn. In a report to Solihull’s Full Council on 8 October 2024, Officers confirmed that: *“with the Plan being withdrawn, planning applications for the proposed allocation sites can no longer be described as in accordance with an emerging Plan. However, the evidence base underpinning the draft Submission Plan and the Inspectors correspondence in relation to the ‘in principle’ suitability of the draft sites can still have weight as material considerations in determining applications...”*.

1.5 This application seeks outline planning permission for:

Outline planning application (with all matters reserved except access) for phased residential development including affordable housing and self-build homes (Class C3); a care or retirement home (Class C2); a primary school (Class F1); retail and commercial uses (Classes F2 and E); vehicular access from Dog Kennel Lane and Tanworth Lane; public open space; and associated infrastructure.

1.6 The proposed scheme comprises up to 700 homes, including 40% affordable homes. This is in line with the withdrawn Local Plan.

1.7 Outline planning permission is being sought (with all matters reserved except for means of site access onto the public highway). As such, this application seeks to establish the principle, quantum and nature of development. Details of internal access arrangements, appearance, landscaping, layout and scale are being reserved for subsequent approval.

1.8 The purpose of this Statement is to assess the proposed development against the relevant national and local planning policies and guidance, having regard to other material planning considerations. It also provides the information required for the Meeting Housing Needs Statement and Open Space Statement, as required by the Council’s validation checklist.

Application Documents

1.9 The scope of this application has been discussed and agreed with Planning Officers at SMBC over a series of pre-application discussions. The application includes several control documents that are submitted for approval, such as the Parameter Plans and the Design Code, whilst others will provide background, illustrative and supporting information. These are submitted to assist SMBC to reach a decision on whether to grant planning permission for the proposed development.

1.10 This application is accompanied by an Environmental Statement ('ES'), prepared by Lichfields, EDP, SLR, BWB, GEG and MEC.

1.11 This Statement includes information required for a Meeting Housing Needs Statement, Open Space Statement and Very Special Circumstances Case, as well as Draft S106 Heads of Terms. It should be read in conjunction with the suite of technical drawings and assessments which accompany the application.

1.12 The application documents are as follows:

- 1 Application form (including relevant certificate and notices) and appropriate application fee
- 2 Covering Letter, prepared by Lichfields
- 3 Planning Statement, prepared by Lichfields
- 4 Statement of Community Involvement, prepared by DevComms
- 5 Plans and drawings, prepared by Pegasus, including:
 - a Site Location Plan
 - b Existing Site Levels (topographical survey)
 - c Parameter Plans, including:
 - i Land Use Parameter Plan
 - ii Building Heights Parameter Plan
 - iii Green and Blue Infrastructure Parameter Plan
 - iv Residential Density Parameter Plan
 - v Access and Movement Parameter Plan
 - vi Character Areas Parameter Plan
 - d Illustrative Masterplan (illustrative only, covering the application site)
 - e Concept Masterplan (illustrative only, covering the withdrawn draft allocation site)
- 6 Design and Access Statement (including National Design Guide and Building for Life Assessment and Security Considerations Assessment), prepared by Pegasus
- 7 Design Code, prepared by Pegasus
- 8 Green Belt Position Statement, prepared by EDP
- 9 Social Value Statement, prepared by Lichfields

- 10 Biodiversity Metric Spreadsheet, prepared by EDP
- 11 Detailed access plans, prepared by SLR (also appended to the Transport Assessment), including:
 - a Visibility Splay on Signal Crossing
 - b West Site Access Junction to Dog Kennel Lane
 - c East Site Access Junction to Dog Kennel Lane
 - d Tanworth Lane Site Access Roundabout
- 12 Environmental Statement ('ES'), including an assessment on:
 - a Heritage
 - b Transport
 - c Landscape and Visual Impact
 - d Ecology
 - e Water and Drainage
 - f Noise and Vibration
 - g Air Quality
 - h Socio-Economics
 - i Ground Conditions and Contamination

Please note that many of the reports are Technical Appendices to the Environmental Statement. This includes (but is not limited to) the following key documents:

- j Illustrative Landscape Strategy, prepared by EDP
- k Framework Construction and Environmental Management Plan, prepared by TW
- l Archaeological and Heritage Assessment, prepared by EDP
- m Transport Assessment, prepared by SLR
- n Overarching Travel Plan, prepared by SLR
- o Landscape and Visual Impact Assessment, prepared by EDP
- p Biodiversity Impact Assessment, prepared by EDP
- q Ecological Baseline Report, prepared by EDP
- r Arboricultural Impact Assessment, prepared by EDP
- s Contaminated Land Assessments (Phase 1 and Phase 2), prepared by GEG and MEC
- t Flood Risk Assessment, prepared by BWB
- u Sustainable Drainage Statement, prepared by BWB
- v Energy and Sustainability Statement, prepared by BWB

Structure of this Statement

1.13

The remainder of this Statement is structured as follows:

- **Section 2** sets out the background to the application including a description of the application site and surrounding area and planning history;
- **Section 3** describes the proposed development;
- **Section 4** sets out the planning policy context;
- **Section 5** provides a summary review of housing need, supply and delivery;
- **Section 6** assesses the principle of development and sets out the Very Special Circumstances (VSC) for the proposed scheme, including Green Belt considerations;
- **Section 7** provides an assessment of the proposed development against relevant policy and guidance, including benefits and planning balance;
- **Section 8** sets out a brief commentary on the likely necessary planning obligations and planning conditions; and
- **Section 9** provides a summary and conclusions.

2.0

Background

The Applicant

2.1 Taylor Wimpey are one of the country's leading residential developers with over 100 years' experience in building new homes. The company built over 10,800 new homes in 2023, of which 23% were affordable new homes.

2.2 TW are committed to working with local people and communities to provide exceptionally well designed and constructed new homes in which people aspire to live. This is consistently recognised by industry peers and has most recently been highlighted by the Building Innovation Awards 2024 and the Housebuilder Awards 2024, where TW were awarded 'Most Sustainable Building Project' and 'Best Sustainability Initiative' respectively for its extensive Future Homes trial on a live development site at Sudbury. TW's ability and expertise in building energy efficient homes of the highest quality has also been commended by its recognitions in the National House-Building Council (NHBC) Pride in the Job Awards with 62 site managers awarded in 2024, and TW continue to be a 5-star NHBC award-winning homebuilder year after year.

2.3 More recently, TW's commitment to creating a greener, healthier future has also been commended by its Net Zero Transition Plan being shortlisted in the Edie Awards for 2024. TW was the first national homebuilder to achieve the Carbon Trust Standard for its overall approach to carbon management in 2017, and in early 2024, TW achieved certification to the Carbon Trust's Route to Net Zero Standard Advancing level, the only housebuilder to hold this new standard. By 2030, all homes delivered by TW will be zero carbon ready.

The Site

Surrounding Area

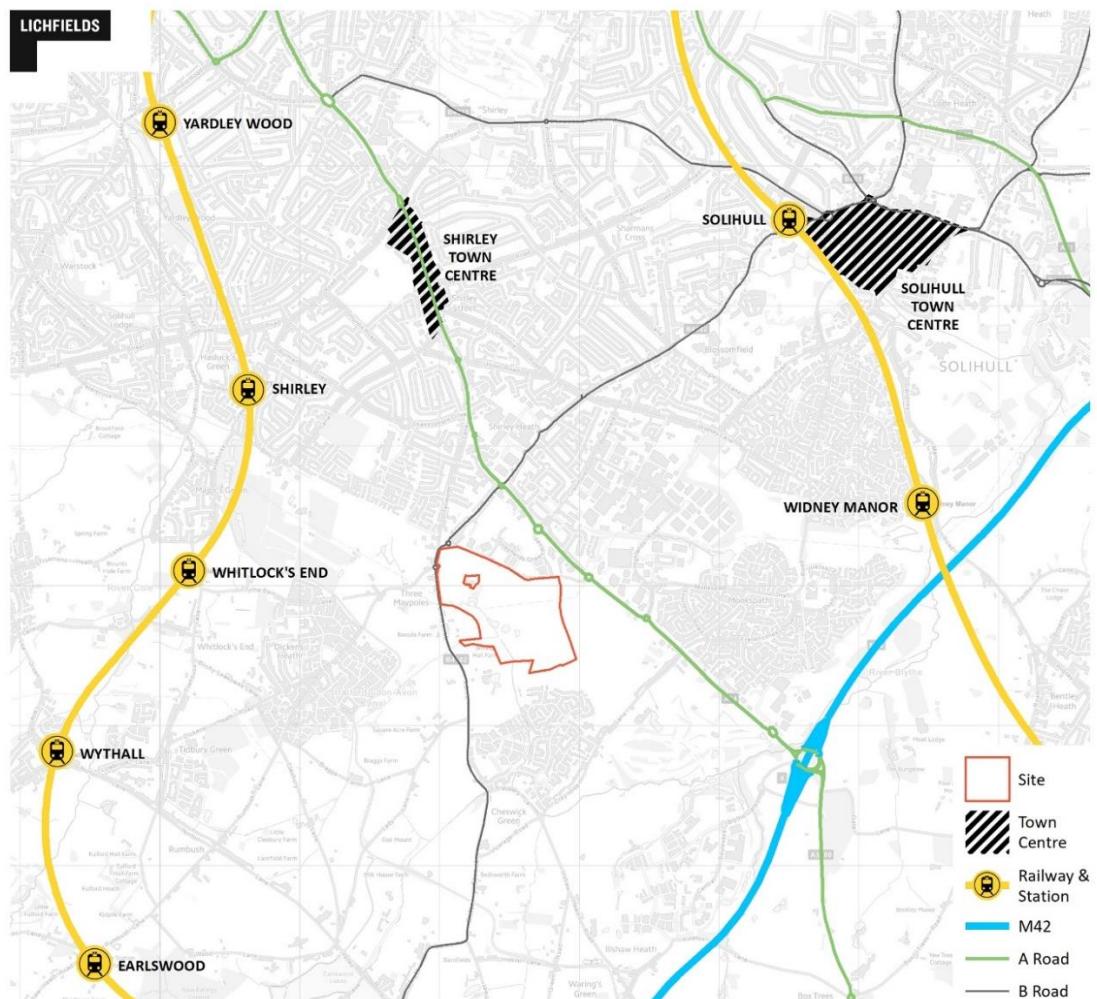
2.4 The proposed development site is located on the southern edge of Shirley town, which forms a contiguous urban area with nearby Solihull to the east, and Birmingham to the north.

2.5 Shirley town lies approximately 3km west of Solihull town centre and sits along the A34 Stratford Road which connects to Birmingham to the northwest and the M42 to the southeast. Shirley town centre lies around 1.6km north of the site, while Shirley train station and Whitlocks End train station are both located around 2km west of the site. This is shown in Figure 2.1. The villages of Dickens Heath and Cheswick Green lie to the southwest and south of the site, as part of the wider area.

2.6 The wider surroundings of the site are predominantly suburban in nature and comprise residential areas, a range of commercial, recreational and retail uses across various business parks, and wider agricultural fields and countryside. The Green business park and development is located immediately north of the site on Dog Kennel Lane, comprising new residential development alongside the Village Hotel and Gym, and a number of car dealerships. To the immediate northwest of The Green are Sears Retail Park and Solihull Retail Park, which contain several large-scale retailers including Sainsbury's, Marks & Spencer, B&Q, Lidl, Boots, Next and Currys. To the northeast of The Green is also Monkspath and Friars Gate Business Parks, both of which contain a range of light industrial

and warehouse and commercial units, including David Lloyd Solihull Cranmore Gym. Further afield, around 1.5km southeast of the site, is Blythe Valley Business Park, a regionally significant employment area.

Figure 2.1 – Site Location and Surrounding Area



Source: Lichfields

2.7 A number of other local facilities including recreation and community uses can be found in the surrounding area, including Shirley Town and Highgate United Football Clubs and Shirley and Solihull Golf Clubs. Several schools (including Cheswick Green primary school, Woodlands Infant School, Light Hall School, Solihull Academy and Shirley Heath Junior School) and medical services (Tanworth Lane Surgery and Pharmacy, and the Village Surgery) are also in close proximity to the site.

2.8 The site benefits from a number of public transport services. As noted above, both Shirley and Whitlocks End train stations are located around 2km (c. 30-minute walk or 10-15-minute cycle) west of the site. Shirley and Whitlocks End are situated on the North Warwickshire Line which provides half-hourly services to Kidderminster via Birmingham Moor Street (20-minute journey) as well as to Stratford-upon-Avon (40-minute journey). In addition, Hillfield Park provides a link to Widney Manor Railway station (15-minute cycle) which provides three trains per hour between Birmingham via Solihull, and Dorridge.

2.9 The nearest bus stops to the site are located on the B4102 Tanworth Lane and are served by the A5 and A7/8 bus routes. The A5 route provides an hourly service between Solihull and Cheswick Green (via Shirley and Dickens Heath), and the A7/8 service is a circular route for south Solihull with an hourly frequency (increasing to half-hourly frequency during weekday peak periods). Additional bus stops are also located on Dickens Heath Road, A34 Stratford Road and Creynolds Lane, served by the A4, A5, A8, A9 and X20 bus routes.

2.10 Existing pedestrian facilities in the vicinity of the site include formal footways, shared footway/cycleways, and several Public Rights of Way (PRoW) – all of which provide links to the A34 Stratford Road, Dog Kennel Lane and into Dickens Heath. The site is also well located in terms of the strategic road network; it is close to major routes comprising the A34 (2-minute drive) which runs to Birmingham (c. 40-minute drive), as well as the M42 (5-minute drive) which provides links in all directions.

Application Site

2.11 The application site itself comprises 51.72 ha of agricultural fields. The site is characterised by small fields, typically bordered by hedgerows. The application site boundary excludes an area of 0.64 ha including the Grade II Listed Light Hall building and neighbouring dwellings, which are located within the northwest of the site.

2.12 As shown in Figure 2.2, the site is bounded by Dog Kennel Lane to the north, off Stratford Road, and Tanworth Lane to the west. The eastern boundary follows an existing field boundary and PRoW footpath (SL69, which also runs diagonally through the northeast corner of the site and continues south to Cheswick Green), while the southern boundary is irregular in shape, following existing landscape features and well-defined agricultural field boundaries.

Figure 2.2 – Approximate Site Location



Source: Google Earth

2.13 Agricultural fields continue adjacent to the southern boundary, beyond which lies the settlement of Cheswick Green. Jerrings Hall Farm is to the southwest of the site, with Square Acre Farm further to the southwest. At the northern end of Tanworth Lane are small clusters of dwellings, Tanworth Court Care Homes and a public house (Miller & Carter). To the west of Tanworth Lane there is an area of open countryside with intermittent dwellings, allotments, and agricultural and industrial buildings along Dickens Heath Road.

2.14 Further agricultural land continues to the east; however, this comprises land subject to an existing planning application (ref. PL/2024/00598/PPOL) for up to 550 dwellings and forms the remainder of the site allocation (BL2) within SMBC's withdrawn Local Plan – both of which is discussed further below. Aside for the Grade II Listed Light Hall, there are no other listed buildings within the site. A Grade II listed Pillar Box is located c.75m to the northeast corner of the site, and the Grade II Listed Jerrings Hall is located c.400m to the southwest of the site. There are no Scheduled Ancient Monuments in or around the site, and it is not located within a Conservation Area (with the closest being White House Way/White House Green, 2.5km northeast of the site).

2.15 The site is predominately located in Flood Zone 1 (the lowest probability of flooding from rivers and the sea), however there is a corridor of Flood Zone 2 and 3 associated with the Mount Brook, which traverses the site from northwest to southeast. The site is at low risk of sewer, canal, reservoir and groundwater flooding. Downstream of the site, the Mount Brook enters the residential area of Cheswick Green before outfalling to the River Blythe approximately 1km downstream of the site.

2.16 The site is not covered by any statutory environmental or ecological designations, nor are there any international designations (European Sites) within 15km. The River Blythe Site of Special Scientific Interest (SSSI) is located approximately 850m south of the site, with the watercourses on site flowing into this SSSI. Monkspath Meadow SSSI and Clowes Wood and New Falls Coppice SSSI are also located within 2km of the site but neither has direct connectivity with the site. Dickens Heath Country Park Local Nature Reserve (LNR) is located approximately 1km west of the site and Hillfield Park LNR is located approximately 0.5km north.

2.17 In terms of locally designated non-statutory sites, the four ponds within the site are designated as Ecosites and a Dickens Heath Marsh Local Wildlife Site (LWS) is located adjacent to a section of the southwestern boundary. A wooded lane, referred to as Dog Kennel Lane Woodbank and located towards the north of the site is identified as being a potential LWS.

2.18 There are no Tree Preservation Orders (TPOs) within the site boundary. There is a group of TPO trees on land adjacent to the southwest corner of the site, running perpendicular to Tanworth Lane.

Planning History

2.19 The most recent application – and the only application since 2000 – relevant to the application site is an Environmental Impact Assessment (EIA) Screening Opinion (ref. PL/2022/01507/EISCOPE) submitted in July 2022. The decision, dated 23 September 2022, concludes that residential development of up to 800 new homes, public open space, a new primary school and associated infrastructure would require an EIA due to the potential

significant effects associated with the proposed development. An ES is submitted with this application, which covers those environmental issues identified by SMBC as requiring consideration

2.20 Of relevance to this application, ZF Automotive (c/o Richborough) submitted an outline planning application in March 2024 for the land adjacent to the site's eastern boundary, south of Stratford Road and Dog Kennel Lane (ref. PL/2024/00598/PPOL). The application seeks outline planning permission, with all matters reserved except means of access via Stratford Road and Dog Kennel Lane, for up to 550 dwellings (use Classes C3 and C2), public open spaces and children's play areas, ecological habitats, sustainable drainage features, walking and cycle routes, highway improvements, and ancillary works.

2.21 The application documents set out that the adjacent 19.5 ha site forms the eastern part of allocation BL2 in the draft Solihull Local Plan (now withdrawn), and that the proposals align with those for the adjacent TW land, to support the comprehensive planning of the draft allocation as a whole. Figure 2.3 below shows the illustrative masterplan submitted by Richborough, for indicative purposes only. Specifically, a multi-modal route is indicated through the site to provide connectivity between the TW land and the Richborough land, to facilitate a proposed bus route through the site between Tanworth Lane and A34 Stratford Road and to create a comprehensive, combined development. This is discussed in further detail later in this Statement.

Figure 2.3 – Illustrative Masterplan (indicative) for the adjacent Richborough site



Source: Planning Application PL/2024/00598/PPOL

Consultation on the Application

2.22 The applicant has engaged in comprehensive pre-application discussions with both SMBC Officers and the wider community to discuss the proposed development at the site.

2.23 A written pre-application request (reference PL/2022/01907/PREAPC) for proposed residential development at the site was submitted to SMBC by the applicant in September

2022. A formal pre-application response was issued by the Council on 23 November 2022. The response sets out that, notwithstanding its proposed allocation in the draft Solihull Local Plan, the whole site is currently designated as Green Belt land and its development would, by definition (NPPF Paragraph 152), represent inappropriate development whereby Very Special Circumstances (VSC) must be demonstrated to override the potential harm to the Green Belt and any other harm arising from the development. The Council's response caveats that Officers have not assessed whether the proposal would result in any 'other harm(s)' and that:

"This pre-application advice has been prepared on the basis that it is not intended that any subsequent planning application will be determined before the emerging plan is adopted, even if it is submitted before the plan is adopted. That is to say that the policy change envisaged in the new plan (i.e. taking the site out of the Green Belt) will form the basis for the principle for the development to be considered acceptable."

2.24 The issues and potential impacts raised within the pre-application response have been considered and directly addressed both within this Statement and relevant technical assessments accompanying the application. This is set out in further detail within Section 7 of this Statement, which provides a comprehensive assessment of the proposed development having regard to the key policy issues in the NPPF, Development Plan and other material considerations.

2.25 In addition, two rounds of public consultation with residents and stakeholders were undertaken to seek the community's views on the development – with public exhibitions held first at the EIA Scoping stage on 1 November 2022, and more recently prior to submission of this application, on 23 May 2024 (with the latter following the delivery of a leaflet advertising the exhibition to 2,227 homes in the wider area surrounding the site, as well as the launch of a live consultation website which invited comments for over two weeks between 13 and 31 May 2024). In the latter exhibition, details of a comprehensive masterplan for the BL2 allocation of the withdrawn Local Plan were displayed, with comments invited.

2.26 The exhibition was welcomed by residents and local Councillors and the feedback from the event, which has helped to shape the design development of the final scheme, is set out in the accompanying Statement of Community Involvement (SCI) prepared by DevComms. The SCI confirms that the key issues raised by members of the public focused on the three themes of: impact on local highway infrastructure; impact on local services (healthcare, education); and environmental and wildlife considerations. Other responses referred to existing drainage concerns and provision of local retail space and/or community facilities. However, some local stakeholders also indicated support for the proposals, as a sustainable site for housing development in the Borough.

2.27 The SCI also responds to and/or sets out how the key issues have been taken into account within the proposed development. For instance, substantial interest was raised in relation to the impact on local services, and this application includes land for the provision of a primary school located in the heart of the development next to the central green, ensuring that future (and existing) residents are located within a comfortable walking and cycling distance from this school. Further, there is proposed retail and commercial use by the proposed school site. Specific, more technical issues raised – such as potential traffic

impact – have also been fully considered and addressed within the relevant assessments submitted with this application.

3.0 Proposed Development

3.1 This is an application for outline planning permission for residential-led development, including flexible commercial/retail/community space, a primary school and a care home. This aligns with the BL2 allocation in the now withdrawn Local Plan. Full details of the proposed development are set out in the accompanying drawings and Design and Access Statement, prepared by Pegasus.

Description of Development

3.2 The proposed development comprises an application for outline planning permission for the development of up to 700 residential units (including 40% affordable housing) and self-build units, a care/retirement home, a primary school, a local centre comprising commercial/retail uses, and significant provision of public open space.

3.3 The description of development is as follows:

Outline planning application (with all matters reserved except access) for phased residential development including affordable housing and self-build homes (Class C3); a care or retirement home (Class C2); a primary school (Class F1); retail and commercial uses (Classes F2 and E); vehicular access from Dog Kennel Lane and Tanworth Lane; public open space; and associated infrastructure.

3.4 All details are reserved for future consent, save for matters of site access, whereby it is proposed to provide vehicular access into the application site at three locations. This includes an access to the west of the site from the B4102 Tanworth Lane at the existing Tanworth Lane/Dickens Heath roundabout from a new arm, as well as two priority junctions from the north of the site from Dog Kennel Lane. Detailed drawings for each of these access points have been submitted for approval (West Site Access to Dog Kennel Lane drawing reference PD13.2, East Site Access to Dog Kennel Lane drawing reference PD13.3, and Tanworth Lane Site Access Roundabout drawing reference PD13.4).

3.5 This application therefore seeks to establish the principle, quantum and nature of development.

Parameter Plans and Design Code

3.6 A series of Parameter Plans have been submitted as part of the application for approval. These plans establish the development parameters within which any future detailed development, brought forward at the subsequent Reserved Matters stage, will come forward. The parameter plans show the various land use and built development extents, access and movement routes, maximum building heights and densities, areas of public open space and defined character areas for the design of the development in each area. Future reserved matters applications will need to follow these parameter plans.

3.7 Further, development on the site will be controlled by the submitted Design Code, which provides further guidance on the interpretation of the Parameter Plans and seeks to establish the key design principles to ensure design quality of future development. This includes detailed design guidance for a range of design matters, such as street hierarchy and street types, parking, built form and materiality.

3.8 Read together with the Design and Access Statement, the Design Code and Parameter Plans will guide the detailed design of future Reserved Matters application(s).

3.9 The Parameter Plans and Design Code are both for formal approval. An Illustrative Masterplan has also been developed to accompany the application and demonstrates one way in which development could come forward through the reserved matters process, in compliance with the proposed Parameter Plans. The Illustrative Masterplan is not submitted for formal approval and is for illustrative purposes only.

Amount and Land Use

3.10 The Land Use Parameter Plan (ref. P21-3274_DE_003_01D), together with the Residential Density Parameter Plan (ref. P21-3274_DE_003_04C) and Building Heights Parameter Plan (ref. P21-3274_DE_003_02D), identifies the extent of the areas located for proposed residential development, comprising general residential (Class C3), self-build homes (Class C3), the care/retirement home (Class C2), primary school (Class F1), and flexible retail/commercial uses (Classes F2 and E). The proposed locations within the site, development areas and indicative development quantum are as follows:

Table 3.1 – Amounts and Locations of Proposed Land Uses within the Application

Land Use	Use Class	Indicative Location(s) within the site	Area (ha)	Quantum / Floorspace
Residential (including Self-Build Provision)	C3	Three areas within the northern portion of the site, separated by landscaped areas, plus an area for self-build housing within the northeastern corner of the site.	20.32 ha, plus 0.77 ha (self-build area)	Up to 700 units
Residential – Care/Retirement Home	C2	Within the northeast part of the site, adjacent to the local centre and Dog Kennel Lane.	0.5 ha	Up to 66-bedspace
Primary School	F1	At the centre of the site, adjacent to Dog Kennel Lane and the local centre.	2 ha	1FE, with scope to expand to 2FE
Local Centre – Commercial or Retail	F2, E	A local centre is proposed at the northeast of the site, adjacent to Dog Kennel Lane.	0.21 ha	Up to 750 sqm
Public Open Space Provision	None	Provision of green and blue infrastructure throughout the site, including a proposed Western Green, Central Green, Sports Pitches, sustainable drainage features and play areas.	27.91 ha	n/a

3.11 The indicative quanta above are provided to allow flexibility of uses and amounts across and within the proposed development that would come forward as part of reserved matters, whilst retaining control on the overall amount of development that could occur at the site. Maximum quanta are required to ensure adverse impacts do not arise and that the development amount is within that tested as part of the Environmental Impact Assessment. This would be secured by condition attached to any grant of planning permission.

New Homes

3.12 The application seeks permission for up to 700 residential units, plus the potential for a 66-bed retirement/care home. This would comprise a mix of private, social and intermediate

units across the site. A minimum of 40% of housing (up to 280 units) is proposed as affordable, with a tenure split of 65% social rent and 35% shared ownership. Of the market housing proposed, 5% (up to 21 units) is also proposed as self-build provision.

3.13 The proposed residential element will be delivered over a range of typologies with smaller properties located in higher density areas near primary routes (i.e. The Avenue Character Area), and larger detached family homes located in lower density character areas (i.e. The Rural Green Edge and Light Hall Edge Character Areas). This will result in a series of differing densities and characters across the site and help to create an inclusive and well-rounded community, including the provision of affordable homes. Further detail on the proposed housing typologies is included in the Design Code.

3.14 As an outline planning application, the precise housing mix is not submitted for approval at this stage. However, an indicative mix for the proposed development is as follows:

Figure 3.2 – Illustrative Housing Mix (Market, Affordable and Self-Build)

	1-2 bed	3-bed	4+ bed
Market	20-30%	50-60%	20-30%
Social Rent	20-30%	70-80%	0-5%
Shared Ownership	35-45%	55-65%	0-5%

3.15 Policy P4 of the adopted Local Plan notes that for housing mix, the Council recognise that there is a need to have regard to the economics of provision, accessibility to local services, securing a range of house types and sizes in a locality to help to achieve socially balanced and mixed communities and that there is a need to achieve a successful housing development. The proposed indicative ranges above have been prepared with consideration to the site location, existing and expected market demand for the private dwellings in the area, as well as the identified mix within relevant policies and evidence (including Solihull Housing and Economic Development Needs Assessment 2020). The precise housing mix, within that range, will be specified at (each) reserved matters stage, taking account of the cumulative delivery mix to that point. This approach will allow flexibility, within those ranges, to reflect the need for housing at the time of submission of each reserved matters application.

3.16 The detailed provision of a care/retirement home (Class C2) at the site is subject to further discussions with the Council during determination of the application.

Non-Residential Uses

3.17 Approximately 0.2 hectares of mixed-use land in the form of a Local Centre is proposed at the northeast centre of the site, as shown on the Land Use Parameter Plan (ref. P21-3274_DE_003_01D). It is proposed that this will deliver up to approximately 750sqm of commercial, retail and/or community floorspace, with flexibility provided at this stage for a range of uses (within the F2 or E Use Class), suitable for smaller scale uses alongside the residential accommodation.

3.18 The main uses in the Local Centre will contribute to a successful, new sustainable neighbourhood. Located in proximity to all residential areas, the Local Centre will support the everyday needs of the new community and may take the form of cafes, shops or other

local community facilities. The Local Centre is also proposed to be located adjacent to the Central Green public realm to provide a focal point within the community, creating activity at the heart of the site.

3.19 A new primary school, comprising 2ha of land for a one-form entry school (with scope for expansion to 2FE), is also proposed as part of the development. As shown on the parameter plans, this will be located at the centre of the site, adjacent to Dog Kennel Lane and the Local Centre, ensuring that all future residents of the site are located within a comfortable walking and cycling distance of the school. The school is intended to serve residents from the adjacent development at The Green and Richborough land, as well as other developments in the immediate locality.

3.20 The layout and design of the school and non-residential uses will be defined through subsequent reserved matters applications, with the exact type/size of the school subject to collaboration and agreement with SMBC, and nature of the non-residential uses to be determined subject to marketing, interest and local need. The Design Code establishes design requirements for the Local Centre to guide reserved matters submissions.

Scale, Character and Layout

3.21 The key layout principles are set out in the supporting Design and Access Statement ('DAS') and Design Code, and the parameter plans show how these would be delivered in the development. As shown by the Land Use Parameter Plan, this includes responding to the setting of the Grade II listed Light Hall, including the preservation of the historic driveway and designed view from the north and the provision areas of landscaping as a buffer. It also includes delivering a primary east-west connection throughout the residential development, with landscape areas linking to significant provision of public open space in the southern portion of the site.

3.22 The submitted Building Heights Parameter Plan (ref. P21-3274_DE_003_02D) defines the intended maximum building heights in storeys. Taller buildings, up to 3-storeys, are proposed adjacent to the roundabouts at Tanworth Lane/Dickens Heath Road and at Tanworth Lane/Dog Kennel Lane/Blackford Road, as well as for the local centre and care home to the northeast of the site.

3.23 This is reflected in the Density Parameter Plan (ref. P21-3274_DE_003_04C) which shows higher density housing (38-40 dph) is proposed adjacent to the main spine road, with the lowest densities (30-33 dph) proposed at the southern edges of the residential areas, and the edges facing Light Hall. It is also intrinsically linked with the Character Areas Parameter Plan (ref. P21-3274_DE_003_06C) which defines the character areas for the design of the development in each area, broadly corresponding to the proposed density and building heights parameters. The highest density areas, following the main spine road, are assigned to 'The Avenue' character area, with the 'Residential Streets' character area assigned to medium density areas including the care home and self-build land. Low density areas are a mix of 'Rural Green Edge' and 'Lighthall Edge' character areas.

3.24 The submitted Illustrative Masterplan shows an interpretation of how the development will be built around the proposed layout which builds upon the development principles set out in the accompanying Design Code.

Figure 3.3 – Illustrative Masterplan



Source: Pegasus (drawing ref. P21-3274_002-1 Rev R)

Access, Movement and Parking

3.25 The proposed Access and Movement Parameter Plan (ref. P21-3274_DE_003_05 Rev E) indicates the principal movement and access points into and around the site.

3.26 Three vehicular access points into the site are proposed, from Tanworth Lane at the roundabout junction with Dickens Heath Road, and two access points from Dog Kennel Lane. These site access points fall within the detailed element of the application.

3.27 In addition to the three vehicular access points, two potential pedestrian/cycle only access points are proposed: one at the western boundary of the site, linking a tertiary residential street with Tanworth Lane; and one at the northeastern corner of the site, providing a link between the existing and retained PRoW (SL69), Dog Kennel Lane, and a tertiary residential street.

3.28 The primary spine road, which will come forward as a reserved matter, runs east to west through the site (from Tanworth Lane to the adjacent Richborough land) and would be designed to accommodate two-way bus movement. It is proposed that bus stops would be provided at approximately 400m intervals along this route, to ensure that residents are within comfortable walking distance. Active travel routes will also be accommodated along the primary spine road, extending up to the school entrance and Local Centre. This will include a 2m footway on both sides of the spine road, and a 3m cycleway on one side.

3.29 As part of the development proposals, pedestrian crossings will be provided on Dog Kennel Lane to provide pedestrian connections between the existing residential area to the north and the proposed development, for access to the primary school.

3.30 Quantum and details of car parking, including that associated with the sports facilities, will be subject to further discussions with SMBC, at the detailed planning application stage. Notwithstanding, the parking strategy for the site includes provision for electric vehicle charging for each dwelling, an average of 2 spaces per dwelling (in line with SMBC standards), and cycle parking for all dwellings within sheds or garages.

Green and Blue Infrastructure

3.31 The Green and Blue Infrastructure Parameter Plan (ref. P21-3274_DE_003_03D) shows the key parameter for the open space land use in the site. This includes amenity greenspaces, natural and semi natural space, sport pitches/facilities, playspace and sustainable drainage systems. The total amount of public open space proposed is 27.91 ha (54% of the site area).

3.32 The primary proposed open space is the ‘southern greenway’, a new public park reaching all the way along the southern boundary from Tanworth Lane to the SL69 (PRoW), retaining, enhancing and expanding areas of mature vegetation and providing opportunities for a walkable, safe neighbourhood rich in biodiversity. Existing ponds, trees, hedgerow and woodland are maintained within the southern greenway area, where Sustainable Urban Drainage Systems (SuDS) features are proposed, working with the natural topography of the site and existing landscape character. This includes the incorporation of tree planted swale corridors and flood storage/attenuation basins alongside existing water features.

3.33 As shown on the Green and Blue Infrastructure Parameter Plan, the proposed development will involve the provision of a Neighbourhood Equipped Area for Play (NEAP) and Local Equipped Area for Play (LEAP) to serve the residential areas. The NEAP is proposed to be located at the heart of the development within the central green, adjacent to the school and Local Centre. ‘Doorstep greens’ are proposed throughout the site, providing incidental landscaped spaces and easily accessible play opportunities for young children in proximity to new homes. The illustrative scheme also shows the potential for sports facilities to be delivered, located to the southeast in the area of public open space, including two sports pitches, parking and changing facilities.

4.0 Planning Policy Context

4.1 This section of the Planning Statement details the policy context for the application, describing the Development Plan policies relevant to the consideration of the scheme, as well as providing an account of the prevailing policy guidance in the National Planning Policy Framework ('NPPF' or 'Framework') and other documents that represent appropriate material considerations. In doing so, it identifies the key planning considerations against which the planning application will be assessed in the following section.

National Planning Policy

4.2 The NPPF (December 2023) sets out national planning policy and is a material consideration in determining planning applications. The NPPF requires Local Planning Authorities (LPAs) to adopt a positive approach to decision taking and to apply a presumption in favour of sustainable development. Key elements of the NPPF of most relevance to the site are set out below.

Sustainable Development and Decision Making

4.3 The aim of the NPPF is to proactively deliver sustainable development to support the Government's housing and economic growth objectives and meet the needs of the country. Paragraph 8 sets out the three dimensions of sustainable development:

- 1 Economic: to "*help build a strong, responsive and competitive economy*"
- 2 Social: to "*support strong communities and ensuring that a sufficient number and range of homes to meet the needs of present and future generations*"
- 3 Environmental: to "*protect and enhance our natural, built and historic environment*".

4.4 To achieve this, Paragraph 11 goes on to state that for decision-taking, the application of a presumption in favour of sustainable development means:

"...c) Approving development proposals that accord with an up-to-date development plan without delay; or d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

- i *The application of policies in [the NPPF] that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*
- ii *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in [the NPPF] taken as a whole."*

4.5 Local planning authorities should approach decisions on proposed development in a positive and creative way and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area (Paragraph 38).

4.6 The NPPF contains further policies of relevance to considering this planning application, which are not repeated at length here. These include, but are not limited to:

- 1 Housing delivery (Chapter 5) and the critical importance of delivering homes to meet housing needs. This includes the Government's objective of significantly boosting the supply of homes, that a sufficient amount and variety of land can come forward where it is needed and that the needs of groups with specific housing requirements are addressed. Local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide either a minimum of five years' worth of housing, or a minimum of four years' worth of housing if the provisions in paragraph 226 apply. The supply should be demonstrated against either the housing requirement set out in adopted strategic policies, or against the local housing need where the strategic policies are more than five years old.
- 2 Healthy communities (Chapter 8) and the importance of achieving healthy, inclusive, and safe places, which enable healthy lifestyles (e.g. providing green and open spaces close to neighbourhoods).
- 3 Sustainable transport (Chapter 9) and the objective of focusing development in locations which are, or can be made, sustainable, through limiting the need to travel and offering a choice of sustainable transport modes (e.g. walking, cycling and public transport use).
- 4 Effective land use (Chapter 11) and delivering developments that achieve appropriate densities and make optimal use of sites to meet the need for homes and other uses, while creating well-designed and sustainable places.
- 5 Good design (Chapter 12) and ensuring that developments are high quality, visually attractive, sympathetic to the surrounding area, optimise the potential of sites and create safe and inclusive places.

4.7 The proposed development site is within the Green Belt, and the Illustrative Masterplan (ref. P21-3274_002-1 Rev R) shows the proposed new Green Belt boundary for the site.

4.8 Section 13 of the NPPF addresses Protecting Green Belt land. Paragraph 143 sets out the five purposes of the Green Belt, which are as follows:

- a *to check the unrestricted sprawl of large built-up areas;*
- b *to prevent neighbouring towns merging into one another;*
- c *to assist in safeguarding the countryside from encroachment;*
- d *to preserve the setting and special character of historic towns; and*
- e *to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.*

4.9 In terms of proposals affecting the Green Belt, Paragraph 152 states that '*inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances*' ('VSC'). The NPPF goes on to state that VSC '*will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.*' (Paragraph 153). This is a test of planning judgement to be exercised by the decision taker, with adequate reasoning.

4.10 Paragraph 154 specifies that the construction of new buildings should be regarded as inappropriate in the Green Belt, with some exceptions (such as buildings for agriculture or outdoor sports facilities). With the exception of the proposed sports pitch facilities, the proposed development does not benefit from the exceptions.

National Planning Practice Guidance

4.11 The National Planning Practice Guidance (PPG) was initially published in March 2014 and provides detailed guidance on how to apply the policies contained within the NPPF, with reference to relevant legislation and other guidance. Through the publication of updated version of the NPPF, the Government has updated its PPG. Whilst the PPG only constitutes guidance, it is of relevance to the determination of the application and due regard has been made to it.

The Statutory Development Plan

4.12 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that regard is to be had to the Development Plan for the purpose of any determination to be made under the Planning Acts, and that the determination should be made in accordance with the Development Plan unless material considerations indicate otherwise.

Solihull Local Plan 2013

4.13 The Statutory Development Plan for SMBC currently consists of the Solihull Local Plan: Shaping a Sustainable Future, adopted in December 2013. This sets out a vision and a set of key policies for growth in the Borough over the plan period of 2011 to 2028.

4.14 Given the position with the now withdrawn Local Plan Review – discussed next in this section – this application should be tested against policies in the adopted development plan, in the first instance. However, it is necessary to be mindful of paragraph 11c of the NPPF and the need for decision-taking to approve development proposals that accord with ‘an up to date’ development plan without delay. In this context, the adopted Local Plan (2013) is in some respects inconsistent with the policies and objectives of the NPPF, including in respect of its strategic housing requirement contained at Policy P5 (500 homes per annum) which only covers the period to 2028.

4.15 Due to the inconsistency of some policies with the NPPF and the Council’s poor 5YHLS position (see Section 5 below), it is considered that the policies most important for determining this application are out of date. As a result, if Very Special Circumstances exist for development in the Green Belt, it is considered that, in line with NPPF paragraph 11d, the presumption in favour of sustainable development would apply. As they are still broadly in line with the NPPF, we summarise in Table 4.1 below the key policies and designations of relevance to the proposed development, together with a view on which policies are out of date.

Table 4.1 – Relevant adopted Local Plan Policy and Designations

Policy	Matter	Summary of relevant policy requirements as they relate to the site
P4	Meeting Housing Needs	<ul style="list-style-type: none">• Requires 40% of new homes to be affordable.• In assessing the market housing mix, regard will be had to site size, existing mix and local demand in the area, accessibility,

		and the need for a range of house types and sizes to achieve balanced and mixed communities.
P5	Housing Land Provision <i>(Out of date on number – but still a need to deliver new homes)</i>	<ul style="list-style-type: none"> • Sets a housing requirement of 11,000 homes over the 22-year plan period 2006-2028, equating to 500 dpa. • Supports new housing on sites in accessible locations where they meet identified Borough-wide needs. • Higher densities for new housing will be more appropriate in the most accessible locations.
P7	Accessibility	<ul style="list-style-type: none"> • Expects development to meet several accessibility criteria, unless justified by local circumstances, including being within 800m walk of local facilities, 400m walk of bus stops, 800m walk of a rail station. Proposals not meeting these criteria will be required to provide improvements to local public transport provision, cycling and/or walking measures.
P8	Managing Travel Demand	<ul style="list-style-type: none"> • Seeks to ensure development does not have a significant detrimental effect on transport efficiency or highway safety. • Seeks to ensure development reduces the need to travel. • Requires parking provision in accordance with an SPD. • Promotes sustainable modes of transport.
P9	Climate Change	<ul style="list-style-type: none"> • Requires new development to incorporate decentralised energy and heating networks where possible. • Where lower cost solutions such as decentralised networks are available and viable, all new developments over 50 dwellings or 1,000 sqm should aim to achieve zero carbon. • Where decentralised networks are unviable or unsuitable, on-site energy efficiency measures and low/zero carbon energy generation should meet a carbon reduction equivalent to a minimum of 20% of predicted energy requirements. • Development should demonstrate the highest viable energy efficiency standards through the layout and use of materials.
P10	Natural Environment	<ul style="list-style-type: none"> • Incorporate measures to protect, enhance and restore the landscape and green infrastructure assets across the Borough. • Where appropriate, development should enhance accessibility to the natural environment. • Incorporate appropriate mitigation of impacts and compensation to deliver a net gain in biodiversity, habitat creation, landscape character and local distinctiveness.
P11	Water Management	<ul style="list-style-type: none"> • Development should be served by appropriate sewerage infrastructure and capacity. • Demonstrate the highest possible standards of water efficiency. • Incorporate sustainable drainage systems and ensure that adequate space is made for water within the layout. • Wherever possible, development should promote the reduction of flood risk.
P14	Amenity	<ul style="list-style-type: none"> • Seeks to protect and enhance the amenity of existing and potential occupiers of houses, businesses and other uses, including in relation to air quality and noise. • Safeguards important trees, hedgerows and woodlands, and encourages new and replacement tree and hedgerow planting.
P15	Design Quality	<ul style="list-style-type: none"> • Expects development proposals to create a sense of place and achieve good quality, inclusive and sustainable design. • Sets several key design principles including with respect to local character, sustainable design, landscape quality, green infrastructure and safe, active, and attractive streets.

P16	Heritage	<ul style="list-style-type: none"> Preserve or enhance heritage assets as appropriate to their significance, conserve local character and distinctiveness and create or sustain a sense of place.
P17	Green Belt	<ul style="list-style-type: none"> Reiterates national policy regarding inappropriate development in the Green Belt, which will not be permitted unless VSC exist.
P18	Health and Wellbeing	<ul style="list-style-type: none"> Expects new development proposals to promote, support and enhance physical and mental health and wellbeing. This includes supporting proposals which provide opportunities for physical activity/play, a high-quality public realm, safe and convenient walking and cycling networks, and additional homes for older people. Seek to incorporate private amenity space as well as planting, trees, open spaces and soft surfaces.
P20	Open Space Provision	<ul style="list-style-type: none"> Requires provision for and maintenance of appropriate open space, sports and recreational facilities as an integral part of new development. This should address identified shortfalls in local provision and provide for the need arising from the development. Proposals for family housing will be expected to provide opportunities for safe children's play. Supports proposals for new sports facilities providing that the development: addresses any shortfall in provision; is of a scale and size appropriate to the hierarchy of Town Centres; is situated within an accessible location; and accords with other Green Belt and Amenity policies.

Source: Solihull Local Plan: Shaping a Sustainable Future (December 2013)

Other Considerations

The Withdrawn Emerging Local Plan (Solihull Local Plan Review)

4.16 In accordance with Paragraph 48 of the NPPF, weight may also be given to relevant policies in emerging plans according to the stage of preparation, extent of outstanding objections and consistency with the NPPF.

Background

4.17 The Solihull Draft Submission Plan (October 2020) was submitted to the Secretary of State for examination on 13 May 2021. This included proposals to remove land from the Green Belt and allocate several sites to meet development needs, including the application site.

4.18 Hearings commenced on 27 September 2021, after which the Inspectors wrote to the Council raising concerns in relation to housing land supply, in particular the contribution to supply from the proposed National Exhibition Centre (NEC) site – with the Council's trajectory envisaging delivery of 2,240 homes on this site in the plan period. Following the submission of additional evidence by SMBC, including suggestions of extending the plan period by an additional year (2020 to 2037) to ensure a 15-year period from adoption, a further Hearing was held in July 2022.

4.19 The Inspectors' subsequent letter of 5 September 2022 explained their ongoing concerns over delivery of the NEC site and the consequential effect on housing supply. This was in the context of the Council's commitment – in addition to meeting Solihull's own housing needs in full – to contribute approximately 2,000 dwellings to unmet needs from

Birmingham up to 2030/31. The Inspectors' views were that while the draft Local Plan was justified in recognising the importance and redevelopment potential of the NEC site, delivery of the NEC site should be reduced by 1,700 homes in the plan period overall, from 2,240 down to 500 dwellings.

4.20 Notwithstanding these concerns, the Inspectors' letter¹ of 6 March 2023 states that:

'We can also confirm that whilst there are a range of soundness issues, we consider that the overall spatial strategy of the submitted Local Plan and the other housing site allocations are in principle appropriate.' (our emphasis)

4.21 This confirms that the spatial strategy and site selection methodology was sound and justified, and that the draft Local Plan Review sites proposed for allocation were acceptable in principle. As such the evidence base behind the Local Plan Review and the letter from the Inspectors remains a material consideration in decision making.

4.22 In a subsequent letter dated 4 September 2024², the Inspectors concluded that while many aspects of the draft Local Plan were found to be acceptable and/or capable of being made sound through modifications, '*we have reached the point where we have concluded that the Local Plan should be withdrawn*'. In explaining the reasons for this conclusion, the Inspectors' letter states:

'It is highly likely that additional site allocations on land currently in the Green Belt would be required. The Council has already demonstrated that there are exceptional circumstances which justify altering the Green Belt to accommodate housing growth. Of the 18 proposed housing site allocations in the submitted Local Plan, 16 are on land currently in the Green Belt. The submitted Local Plan estimated the total capacity on these sites as being 5,130 homes. Despite this, the Council has made it clear that it is not willing to identify and allocate additional sites in the Green Belt to address the significant shortfall in supply that we have identified...' (underlining is our emphasis)

4.23 Following this, at a Full Council meeting on 8 October 2024, Solihull resolved to withdraw the Local Plan. At the time of submitting this application, the Council has begun the preparation of a new Local Plan, with a Call for Sites exercise launched on 29 November 2024.

4.24 While the policies of the withdrawn Local Plan therefore carry no weight in accordance with paragraph 48 of the NPPF, as set out above, the Plan was at an advanced stage and the evidence base which underpins the withdrawn Plan remains an important material consideration relevant to the determination of this planning application. In addition, the development proposals for the site were drawn up having regard to the Council's most recent policies, as set out in the draft Local Plan Review, and achieving these more recent policy aspirations is regarded as an additional benefit of the proposed development. The previous Local Plan Review policies of most relevance to this application are as follows:

- **Policy P4A Meeting Housing Needs: Affordable Housing** – sets a requirement for 40% affordable housing provision, with a tenure split of 65% social rent and 35% shared ownership. Also sets out a recommended size mix for both social rent and shared ownership but noting that site circumstances will be considered.

¹ PINS Letter to SMBC dated 6 March 2023, document reference INS009 available [here](#)

² PINS Letter to SMBC dated 4 September 2024 regarding withdrawal of the Local Plan available [here](#)

- **Policy P4C Meeting Housing Needs: Market Housing** – states that in assessing the market housing mix, the Council will have regard to several factors including site size, the existing mix and local demand in the area, accessibility to services and public transport, and the need to achieve balanced and mixed communities.
- **Policy P4D Meeting Housing Needs: Self and Custom Housebuilding** – requires allocated sites with 100 or more units to provide 5% of open market dwellings as self/custom build plots on the site but noting that such provision will consider a range of factors and that after 12 months on sale, the plots can revert to market homes.
- **Policy P4E Meeting Housing Needs: Housing for Older and Disabled People** – expects developments to provide a mix of size and type to meet identified needs of older and disabled people, including all homes to meet M4(2) standards. All developments of 300 dwellings or more must also provide specialist housing or care bed spaces, albeit this policy will be applied flexibly taking into account site specific factors.
- **Policy P17 Countryside and Green Belt** – defines a new extent of the Green Belt within the Borough, which included the release of land from the Green Belt to make significant provision for new housing allocations.
- **Policy BL2 South of Dog Kennel Lane** – allocates the site (and Richborough land) for 1,100 dwellings and provides site specific requirements including respecting the setting of Light Hall, provision of 8.2 ha open space, enhancement of the existing bridleway, retention of trees/hedgerows, on-site accommodation for older people, other 'likely' infrastructure requirements including a new primary school, flood alleviation measures, highway improvements, and Green Belt enhancements.

4.25 Regard has also been had to a number of other policies in the withdrawn plan (for example in relation to energy, biodiversity, drainage, open space and transport), and these are referenced as appropriate in the accompanying application documents and Section 7 (Assessment of Proposed Development) below. In cases where the proposed development accords with these policies, this is considered to be a material consideration in support of the proposals and additional benefits of the proposed development.

Site Allocation Policy BL2

4.26 Following a Green Belt Review, Strategic Flood Risk Assessment and Sequential Test, landscape character assessment and strategic highway assessment work (as part of the evidence base), the application site, along with the land to the east controlled by Richborough, was allocated in the Solihull Draft Submission Plan (2020) as **site BL2 'South of Dog Kennel Lane'** for the delivery of 1,100 dwellings (revised upwards from 1,000 during examination of the draft Plan and in the context of identifying further housing land supply, see examination document reference SMBC011V2).

4.27 In relation to the status of emerging planning applications for sites allocated in the now withdrawn Local Plan, the Officer's Report to Full Council on 8 October 2024 (see Appendix 3 to this Statement) states:

"The approach to determining planning applications for the allocated sites was clarified through a report to the cabinet member for Climate Change and Planning on 25th July 2023. This confirmed that applicants must demonstrate 'Very Special Circumstances' (VSC) that clearly outweigh harm to the Green Belt for the application to be successful."

The fact that a site was allocated in the Plan can assist the VSC case. This is on the basis that for it to be allocated, the site is considered to be in a sustainable location that has least impact on Green Belt considerations compared with sites not allocated, which are either in unsustainable locations and/or are judged to have too great an impact on the Green Belt, or other material considerations. This remains relevant and is reflective of the points made in the Position Statement in Appendix B.

With the Plan being withdrawn, planning applications for the proposed allocation sites can no longer be described as in accordance with an emerging Plan. However, the evidence base underpinning the draft Submission Plan and the Inspectors correspondence in relation to the ‘in principle’ suitability of the draft sites can still have weight as material considerations in determining applications. Therefore, the approach set out in the July 2023 report remains relevant.” (underlining is our emphasis)

4.28 The Position Statement (see Appendix 3) sets out an initial basis for the determination of relevant planning applications. This confirms that the Cabinet Member report approved in July 2023 remains an agreed approach to helping assess and determine related planning applications. It states that this highlights the importance of delivering the necessary infrastructure and comprehensive masterplans to help demonstrate VSC in decision making.

4.29 The Council’s July 2023 Report ³ set out a process whereby they will support applications on proposed Green Belt site allocations (in the now withdrawn Local Plan Review) through a number of ‘tests’, including:

- 1 Compliance with draft policy: planning applications should set out how they meet the relevant draft site allocation policy;
- 2 Masterplanning: planning applications should include a masterplan for the site, setting out how the development relates to the whole, wider allocation. Any masterplan should follow a specific process, discussed further below.
- 3 Infrastructure delivery: planning applications should demonstrate a commitment to delivering the necessary infrastructure required to support the proposal, as identified within the site-specific policies/Concept Masterplans; and
- 4 Overall deliverability: having regard to the allocation as a whole and the ability to deliver new homes quickly, including in relation to landownership.

4.30 The report states that if all of these ‘tests’ can be satisfied, it is likely this would be afforded significant weight in the planning balance when considering VSC. This is not a change in policy but is a matter of planning judgement and supports proposals that are broadly consistent with the Council’s policy aims and objectives set out in the draft Plan which included meeting the housing needs of the Borough. The proposed development is assessed against the draft site allocation policy requirements in Section 7.0.

Masterplanning

4.31 The withdrawn draft Plan was supported by Concept Masterplans developed by the Council to provide a visual interpretation of how proposed allocations could come forward. During

³ CPH Climate Change and Planning Decision Session – 25th July 2023: Item 4. Local Plan Review Update Report, available [here](#)

the Examination in Public process for the draft Plan, it was confirmed by the Inspectors that the Concept Masterplans should be considered illustrative and not a formal part of the Plan. It was also acknowledged that site proposals will evolve over time, having regard to more detailed evidence and site assessments, resulting in the need to produce a new masterplan. The July 2023 Report³ sets out that in these cases, a comprehensive masterplan for the whole allocation, submitted to and endorsed by the Council, will be required.

4.32 In line with this approach, a Framework Masterplan for the former whole BL2 site allocation has been prepared by TW, in conjunction with Richborough who control the land to the east (as shown above in Figure 2.3). The Masterplan demonstrates how the site could comprehensively come forward for sustainable development, alongside accompanying Design Layout Principles. The draft Concept Masterplan underwent public consultation on 23 May 2024, and was submitted to the Council alongside a supporting Masterplan Consultation Report on 2 August 2024. Following detailed feedback from the Council's officers, revisions were made to the Masterplan and a final Concept Masterplan was submitted to the Council on 26 November 2024.

4.33 It is hoped that, following this extensive consultation process, the Council will endorse the Masterplan as a material consideration in the determination of subsequent planning application(s).

4.34 At the time of writing, the Concept Masterplan is due to be heard at the Session (CPH Climate Change and Planning Decision Board) for endorsement on 18 December 2024, and the Report⁴ states that "*It is considered that the masterplan submitted for approval demonstrates that the overall objectives for the site and its wider context can be met. The policy requirements set out in the withdrawn LPR have been identified and have been taken into account in the proposed layout. Those differences between the [Council's] CMP and the [submitted concept] masterplan are considered appropriate.*"

Other Guidance

4.35 In addition to the Statutory Development Plan and the withdrawn Local Plan and accompanying correspondence and evidence base, the following documents are considered relevant and material in determining this application:

- Travel Plan Supplementary Planning Document (SPD) (2023)
- Meeting Housing Needs (inc. Affordable Housing) SPD (2014)
- Vehicle Parking Standards and Travel Plans SPD (2006)

The Emerging NPPF

4.36 Following the General Election in July 2024, the new Government consulted on proposed revisions to the (December 2023) NPPF, between 30 July and 24 September 2024. On 30 July 2024 the Deputy Prime Minister and Secretary of State for Housing, Communities and Local Government, Angela Rayner MP, also wrote to all local authority leaders and chief executive leaders in England, setting out the new Labour Government's plan to build the homes the country needs and imploring local authorities to "*take the tough choices*

⁴ 18 December 2024 Report to the CPH Climate Change and Planning Decision Board available [here](#)

necessary to fix the foundations of our housing system" via a "professional responsibility" and "a moral obligation to see more homes built".

4.37 The overall emphasis of the proposed revisions to the NPPF is to plan for and deliver more homes. The direction of travel for national policy is clearly intended to see housing needs met via the planning system and recognises that it falls to local authorities to adequately plan for and deliver those needs as quickly as possible. Of most relevance to this application, the specific draft changes proposed include:

- 1 A revised standard method for assessing local housing need, to be used for the purposes of plan-making and in decision-taking via, for example, five-year housing land supply calculations. The standard method housing need for Solihull under the new methodology is set to increase from 866 dwellings per annum to 1,317 dpa.
- 2 Allied to this, the draft NPPF changes wording to remove reference to the standard method being '*an advisory starting point for establishing a housing requirement for the area*' as well as removing the 'exceptional circumstances' clause for departing from the use of the standard method in identifying needs, instead stating that the "*overall aim should be to meet an area's identified housing need*", i.e. meeting needs in full.
- 3 Enabling the delivery of more homes via use of Green Belt land where necessary and appropriate; proposed changes at draft NPPF paragraph 142 confirm unmet housing need is an exceptional circumstance to release Green Belt via a Local Plan, whilst paragraph 144 identifies that where it is necessary to release Green Belt land for development (e.g. due to unmet needs) first consideration should be given to previously developed land in sustainable locations, then 'grey belt' land in sustainable locations, then other suitable locations in the Green Belt. Grey belt is proposed to be defined as including areas of Green Belt land that make a limited contribution to the five Green Belt purposes.
- 4 Further to this, draft Paragraph 152 sets out a series of factors in which housing development in the Green Belt should not be regarded as inappropriate. This includes, *inter-alia*, where the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.

4.38 At the time of writing, a new NPPF is expected to be published by the end of 2024.

Overview of Key Policy and Material Considerations

4.39 The prevailing policies across the various documents establish several policy themes to assist in the consideration of the proposed development. These themes have been grouped together in structuring Section 7, which assesses the planning application against the Development Plan and other material considerations.

5.0 **Housing Need, Supply and Delivery**

5.1 There is a fundamental and acute need for each of the homes proposed as part of this planning application. This is demonstrated by a significant body of evidence – including a variety of independent and Government commissioned research – that shows the UK is in the throes of a national housing crisis, and that this is most acute in areas where affordability is worst. Significantly boosting the provision of homes is, therefore, a Government priority, and one that is central to the social objective of sustainable development in the NPPF, and LPAs must demonstrate a five-year housing land supply (5YHLS) (NPPF Paragraph 74).

Housing Need

5.2 At a Borough-wide level, the adopted Local Plan (Policy P5) seeks to provide at least 11,000 homes over the plan period 2006-2028, equating to 500 homes per year. However, the Local Plan was adopted in 2013 and drew its housing requirement from the West Midlands Regional Spatial Strategy (WMRSS, Phase 2 Revision Report of Panel, 2009) alongside other updated assessments including the Solihull Strategic Housing Market Assessment (SHMA) (2009) and is therefore now significantly outdated.

5.3 The withdrawn Local Plan Review (2020) proposed an average housing requirement of 816 homes per year, stepped across the plan period. The Inspectors previously confirmed that this figure, based on the standard methodology calculation (807 dpa) plus a modest uplift to accommodate the additional employment growth, is justified. However, as noted in their most recent letter², the number should be kept under review and revised where appropriate, and the current standard method gives a figure of 866 homes per year for Solihull, which amounts to a significant increase when taken over the whole plan period.

5.4 It should also be noted that the Council has maintained a longstanding commitment to contribute c.2,000 homes to Birmingham's unmet need up to 2030/31, based on the shortfall established in the plan period for the adopted Birmingham Development Plan. The Inspectors concluded that this commitment was necessary to ensure that the emerging Local Plan was positively prepared and justified.

5.5 Until such a time as a new Local Plan is adopted, and when it is reviewed in the future, the NPPF (paragraph 61) makes clear that assessing local housing need should be conducted using the standard method (including for the purposes of assessing housing land supply where the strategic policies are more than five years old). The existing standard method figure for Solihull of 866 homes per year is considerably higher than any housing requirement currently set by policy, and under the proposed NPPF (2024) changes is set to increase significantly to 1,317 dpa (+52%).

5.6 The need for affordable housing within the Borough and local area is also confirmed by a range of housing affordability indicators and other evidence, including:

- 1 As of September 2022, the lower quartile house price (i.e. most affordable) in Solihull was £220,000, notably more than the national average of £180,000 and even higher than the West Midlands regional average of £166,000⁵. The lower quartile private

⁵ ONS House Price to Workplace-based Earnings Ratio (March 2023 release; the 2024 release contains median data only)

monthly rent (across all house types) recorded between October 2022 and September 2023 in Solihull was also £800, higher than the regional average (£615) and the national average (£650)⁶.

- 2 The 2023 median affordability ratio – average house prices to average earnings – for Solihull is 9.44 (c.f. 8.26 England and 7.18 West Midlands), placing the Borough as the 7th least affordable authority to live in within the region (out of 30 authorities)⁷. This means that average full-time employees in Solihull can typically expect to spend around 9 to 10 times their earnings on purchasing a home in the Borough.
- 3 As of September 2024, there were 3,588 'customers' registered on the housing waiting list across the Borough⁸. Of this number, 160 are registered in an urgent housing need (Band A, including but not limited to those in exceptional medical need, acute overcrowding, and hazardous accommodation) with a further 1,393 in a high need (Band B, including but not limited to those in an urgent medical need, overcrowding, statutory homeless, and families in need). Almost half (43%) of those households on the waiting list across the Borough are therefore in an urgent or high housing need.
- 4 The Council's latest assessment of housing need (Housing and Economic Development Needs Assessment, 'HEDNA', October 2020) identifies a need for 578 affordable homes per annum (social and affordable rented need only); this equates to two-thirds of the overall housing need (using the existing standard method figure of 866 dpa).

5.7 In addition, as of November 2022, there were 575 individuals on Solihull's self-build and custom housebuilding register, with a total of 585 overall (including associations and the number of serviced plots they are seeking to acquire)⁹. While this is a slight decrease from the previous year (597 overall), it is notably higher than in earlier years (i.e. 388 individuals on the register as of November 2019) and indicates that there is a continued significant demand for self and custom build plots in the Borough.

Housing Supply and Delivery

5.8 In a recent decision, granting permission for 95 homes on a site proposed to be allocated in the withdrawn plan¹⁰, the Council stated that it accepts it does not have a five-year housing land supply (5YHLS). The Officer's Report states that:

"The Council is currently unable to demonstrate a 4-year housing land supply therefore paragraph 11 of the NPPF is relevant. The latest figures the Council has published are from 1st April 2021 and relate to the 5-year housing land supply. These indicated that the Council could only demonstrate a supply of 3.60 years. As such, there is a substantial shortfall, and the housing land supply is anticipated to have significantly worsened given the on-going delays in the adoption of the Local Plan Review." (our emphasis)

5.9 The latest evidence submitted by the Council to the withdrawn Local Plan's examination (document ref. SMBC013, including Five Year Land Supply) further confirms that as of 1st April 2022, the supply of housing amounted to 4,926 homes, inclusive of 2,023 homes from

⁶ ONS Private Rental Market Statistics (December 2023 release)

⁷ ONS House Price to Workplace-based Earnings Ratio (March 2024 release)

⁸ Solihull Council Housing is managed by Solihull Community Housing (SCH): Housing register waiting times available [here](#)

⁹ Freedom of Information response, Solihull Self and Customer Housebuilding Register at 1 November 2022

¹⁰ PL/2023/01173/PPOL: Oak Farm, Catherine De Barnes, Solihull – Approved 23 October 2024, see Officer's Report available [here](#)

proposed allocations within the emerging plan – including the BL2 site. Removing these site allocations from the supply, against a housing need for 866 dpa (the existing standard method) and without applying any buffer, indicates a shortfall of at least 1,427 homes.

5.10 As an update to the Council's last stated position of 3.60 years, in an appeal decision in February 2023¹¹, an Inspector also clearly set out that:

"There is no dispute that the Council has a housing land supply of between 3.02 and 3.6 years. It cannot therefore deliver sufficient homes to meet its housing need in accordance with paragraph 74 of the Framework." (our emphasis)

5.11 The scale of the shortfall is very significant and there is an urgent need to bring forward new housing.

5.12 The significance of this shortfall is material and should be given substantial weight in the determination of this application. This is further compounded by the fact that there appears to be little prospect that housing needs (as identified by the standard method) will be met soon:

- The evidence within Solihull's Five-Year Land Supply (2022) suggests that until a new Local Plan is adopted, there is limited scope for any marked improvement in the 5YHLS position in the short term, due to the 'overwhelming' scale of Green Belt constraint in the Borough and fundamental necessity to release and allocate Green Belt land for housing.
- As set out above, the emerging plan had been at examination for well over three years and was withdrawn in October 2024. The failure of the Local Plan Review leaves no mechanism in place for SMBC to improve or secure a 5YHLS through plan-making, and this delay is leading to sustained and worsening housing delivery outcomes in the Borough.
- The shortfall against the standard method local housing need figure is likely to remain significant even with the adoption of a new Local Plan, unless it seeks to meet the revised standard method housing need of 1,317 dpa in full. This figure would also significantly increase the 5YHLS shortfall for the purposes of decision-taking.

5.13 While the latest Housing Delivery Test (2022) result demonstrates that Solihull had delivered 110% of its required level of housing over the previous three years, in terms of affordable housing delivery, the latest MHCLG statistics (November 2024)¹² indicates that an average of 180 affordable homes have been completed annually in Solihull since 2011 (the start of the adopted Local Plan period). This is significantly short of meeting the current identified need for 578 affordable homes per year.

Summary

5.14 The Council's 5YHLS position is severe, and there has been a continued failure to deliver the homes needed in the Borough, partly due to a lack of a new Local Plan coming forward. This means that insufficient numbers of new homes are coming or will come forward as allocations to help rectify past under supply in the future.

¹¹ Appeal Ref: APP/Q4625/W/22/3306643 – 281 Stratford Road, Shirley, Solihull

¹² Live Table 1008: Additional affordable homes completions by tenure and local authority, England (November 2024 update)

5.15 The policies of the adopted Local Plan most important for determining the application are out-of-date as a result of SMBC being unable to demonstrate a five-year supply of deliverable housing sites. Therefore, if a very special circumstances case and the tests for flooding are satisfactorily met, NPPF paragraph 11d with the presumption in favour of sustainable development would apply.

5.16 The proposed scheme would deliver up to 700 new homes including up to 280 high-quality affordable homes for rented and intermediate tenures, presenting an opportunity to deliver much needed affordable homes in a sustainable location. Given the Council's historic delivery of housing compared with the level of current and future needs, the provision of up to 280 affordable homes would make an important contribution in addressing affordable housing pressures in the Borough. As set out earlier in this section, the NPPF affords great weight to boosting the supply of homes and meeting affordable housing need, particularly in the context of a national housing crisis.

6.0

Principle of Development and Very Special Circumstances

6.1 The adopted Solihull spatial strategy seeks to promote sustainable patterns of travel by directing development towards accessible locations and corridors, including focusing new high-quality housing within the ‘mature suburbs’, particularly within Solihull and Shirley centres and along high frequency public transport corridors. As set out above, the proposed development is considered to be in a highly sustainable location for housing and mixed-use development in line with the spatial strategy; it is located on the edge of the Solihull and Shirley contiguous urban area, which provides a good level of accessible services and facilities, and several train stations and bus services are located in proximity to the site.

6.2 While the site is identified as a proposed housing allocation within the withdrawn draft Local Plan (site reference BL2), it is recognised that the whole site is currently designated as Green Belt in the adopted Development Plan. As such, the scale and type of development proposed, constitutes, by definition, ‘inappropriate development’ (NPPF Paragraph 152, Local Plan Policy P17). The principle of development, as it stands, is not in accordance with the land’s designation as Green Belt and therefore it is necessary to demonstrate ‘Very Special Circumstances’ (‘VSC’) whereby the potential harm to the Green Belt, and any ‘other harm’ resulting from the proposal, must clearly be outweighed by other considerations (NPPF Paragraph 153). What constitutes VSC is a matter of planning judgement, however it is widely acknowledged that factors forming VSC do not in themselves have to be rare or unique¹³; indeed, the aggregation of commonplace factors can combine to create VSC.

6.3 In this context, this section assesses the principle of the proposed residential-led development at the site against relevant planning policy. In doing so, it sets out the VSC case for the scheme, including an assessment of the effect of the proposals on the Green Belt and the purposes of including land within it. The subsequent section demonstrates that all other technical matters can be adequately addressed such that any ‘other harm’ resulting from the proposal is minimal.

Harm to Green Belt

6.4 The PPG on Green Belt (Reference ID: 64-001-20190722) notes that assessing the impact of a proposal on the openness of the Green Belt requires a judgement based on the circumstances of the case. By way of example, the courts have identified a number of matters which may need to be taken into account in making this assessment. These include but are not limited to considerations that openness can have both spatial and visual aspects; in other words, the visual impact of the proposal may be relevant, as could its volume. Other matters for consideration include the duration of development as well as the degree of activity likely to be generated (such as traffic generation).

6.5 SMBC provided evidence, in the form of its Strategic Green Belt Assessment (2016), reviewing the role that the site plays in the functions of the Green Belt, and the associated spatial and visual harm to it.

¹³ Wychavon DC v Secretary of State for Communities and Local Government and Butler (2008) EWCA Civ 692

6.6 It is acknowledged that the introduction of the proposed residential development would inevitably introduce built form in this location and reduce the ‘openness’ of the site, in terms of the spatial aspect. However, this reduction in spatial openness would be limited to the northern half of the site where built form is proposed, and only be appreciated from locations in the immediate environs of the site which are extremely localised despite the size of the site. Where the localised change is experienced, the harm would be limited. Similarly, any reduction in visual openness would only be appreciated in the immediate environs of the site. This would be geographically limited but, where it is experienced, there would be a limited degree of harm. Beyond this area, there would be no material effect on visual openness.

6.7 As demonstrated by the application site being identified as a proposed housing allocation in the withdrawn draft Local Plan, the site is considered by the Council as one of the most suitable for release from the Green Belt. In relation to the impact on the functions of the Green Belt, this is identified by the Council in its Strategic Green Belt Assessment. This demonstrates that the majority of the site is assessed within parcel reference RP65, which includes wider land between Shirley and Dickens Heath/Cheswick Green, and has a combined overall score of 6 (out of 12) against all five of the Green Belt purposes. Against each purpose, the Strategic Green Belt Assessment confirms for this parcel that:

- 1 To check the unrestricted sprawl of large built-up areas – Score of 1, i.e. the parcel is lower performing against this purpose: *‘Some development is already present within Refined Parcel RP65 which is detached from the main built-up area of Shirley to the north’*.
- 2 To prevent neighbouring towns merging into one another – Score of 3, i.e. the parcel is higher performing against this purpose: *‘Refined Parcel RP65 forms a gap of less than 1 kilometre between Shirley Heath area of Solihull and Cheswick Green’*.
- 3 To assist in safeguarding the countryside from encroachment – Score of 2, i.e. the parcel is more moderately performing against this purpose: *‘Refined Parcel RP65 is adjoined by development of Shirley to the north and Cheswick Green to the south-east. The area is made up of agricultural fields and open to the south-west. Only limited development is present’*.
- 4 To preserve the setting and special character of historic towns – Score of 0, i.e. the parcel does not perform against this purpose: *‘Refined Parcel RP65 is not within or adjacent to a Conservation Area or historic town’*.

6.8 The Assessment states that parcels were not assessed against the fifth purpose of Green Belt ‘to assist in urban regeneration’ as all Green Belt land makes an equal contribution to this purpose and therefore its inclusion would add no value.

6.9 The Council’s Green Belt assessment therefore identifies the majority of the site as primarily serving two of the Green Belt purposes (i) preventing towns from merging and (ii) safeguarding the countryside from encroachment. However, it is considered that the application site, in the context of the proposed development as well as the fact that Parcel RP65 covers a much wider area of land, does not score strongly against these purposes and that the broad function and purpose of the wider Green Belt in this location would remain. The Green Belt Position Statement submitted with the application sets this out in detail and confirms that as a result of the site’s spatial position adjacent to the existing settlement,

combined with the well-vegetated and surrounding built context, the site is a relatively self-contained parcel of land within the wider Green Belt.

6.10 Indeed, the Green Belt Position Statement confirms – in relation to Purpose 2 and preventing towns from merging – that the site boundaries form a physical and visual boundary to more open land, there is limited visual association with any other villages, and development of the site would not result in a reduction in the overall spatial separation between the site and any other villages. The site's contribution to Purpose 2 is therefore considered to be limited. In terms of Purpose 3 (safeguarding the countryside from encroachment) it is considered that there are several urbanising features affecting the site, including the influence of existing built form and adjacent road network. Further, while there would undoubtedly be a degree of encroachment, development would not significantly increase the urbanising visual influence beyond the site itself. As such, the site's contribution to Purpose 2 is considered to be moderate.

6.11 The proposed development would preserve the ongoing interrelationship between Shirley and the surrounding environment, by new development being well contained and enclosed by existing field boundaries/landscape features. The LVIA Assessment (ES Appendix F2) sets out that while the internal character of the site is predominantly rural, the presence of adjacent roads and substantial areas of commercial development to the north means that the character of the northern extent of the site – where built development is proposed – is significantly influenced by the urban edge. As such, it has capacity to accommodate development closely related to, and in scale with, the existing settlement. In addition, as shown by the Illustrative Masterplan, the site's southern extent would be retained by green open space of recreational value, and it is proposed that an appropriate development edge is created. The proposed southern boundary would retain a clear physical and visual gap between development and Cheswick Green to the south and re-define the Green Belt boundary using existing vegetation and landform within the site; this would maintain the separate identities of the site, Dickens Heath and Cheswick Green.

6.12 The review contained within the submitted Green Belt Position Statement shows that, overall, the site is enclosed, characterised by existing built form and urbanising elements, which is seen by relatively few receptors close to it. Fundamentally, the site does not play a fundamental role concerning the wider Green Belt, and the proposed development can be accommodated within this part of the Green Belt whilst maintaining the integrity and function of the wider Green Belt.

Summary

6.13 Overall, based on the evidence presented for the Local Plan it was concluded by both the Council and the Local Plan Inspectors that development on the application site would give rise to limited harm to the Green Belt.

6.14 As set out above, Paragraph 153 of the NPPF states that VSC will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations. This Statement, in conjunction with the range of technical documents accompanying the application, demonstrates that there are no other harms resulting from the proposals. Any harm to the Green Belt should also be considered against the material factors which support the

delivery of the proposed development, including the benefits of the proposal (discussed further below).

6.15 Having considered the site, planning context and the proposed development, it is considered that a combination of factors exist that together constitute the VSC necessary to justify a grant of planning permission and clearly outweigh any harm to the Green Belt. These factors are covered below but, in the first instance, it is necessary to demonstrate that the proposal is sustainable development.

Sustainable Development

6.16 There is a presumption in favour of 'sustainable development'. The NPPF states that when reviewing Green Belt boundaries, the need to promote sustainable patterns of development should be taken into account. Where it has been concluded that it is necessary to release Green Belt land for development – as concluded appropriate and necessary via the examination of the withdrawn emerging Local Plan – '*plans should give first consideration to land which has been previously-developed and/or is well-served by public transport*' (Paragraph 147).

6.17 Each dimension of sustainable development is set out below in the context of this application, noting that at Paragraph 8, the NPPF acknowledges that '*achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways.*' Further, the Framework (Paragraph 9) states that planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area.

Location

6.18 The site forms a logical extension to the urban area of Shirley and is highly accessible for sustainable modes of transport, including walking, cycling, bus and rail. As set out above, the site is located c.2km from Solihull town centre, alongside the A34 Stratford Road, a main arterial route providing bus services to the local area and a connection between the M42 and Birmingham City Centre, and it is in proximity to the North Warwickshire and Chiltern Main Line railway lines, with the nearest stations approximately 1.7km to the west (Whitlocks End) and 2km to the east (Widney Manor). Locally, the site is well located for ease of access by bus, foot or bicycle, to day-to-day facilities available at Solihull and Shirley including schools, supermarkets, retail, health services and major employment areas.

6.19 The withdrawn emerging Local Plan identified the site as being in a sustainable location to help meet the Borough's housing needs; this is emphasised within the site appraisal in the evidence base (Sustainability Appraisal 2020 Appendix C, South of Dog Kennel Lane). Indeed, the Council's decision to remove the site from the Green Belt and allocate it for residential development (Policy BL2) means that the principle of residential development on the site is supported in land use terms, subject to the satisfaction of other policy requirements in the Development Plan.

6.20 Although the Plan was withdrawn, the very fact that Green Belt release is identified as fundamentally necessary to meet housing needs in Solihull, Site BL2 was identified by the Council as a suitable location for Green Belt release, and the allocation itself did not form

any part of the reasons for the Plan being unsound, is a relevant consideration and one which supports the principle of development.

Economic

6.21 Once completed, the proposed development would create up to 700 new households which would, in turn, generate demand for local shops and services, utilising public transport. Construction of the proposed development would also generate additional expenditure in the local economy. The site is nearby both Shirley and Solihull town centres; the proposed development would therefore result in additional household visiting and local spending, which is a key priority of the Government as set out in Chapter 7 of the NPPF (2023).

6.22 This is explained more fully within the Socio-Economics Chapter of the ES submitted with the application. In summary, the proposed development would have significant economic benefits for local residents and the surrounding community, in particular:

- A total of 325 full-time equivalent ('FTE') jobs are expected to be supported each year during the construction phase;
- An estimated £32.1 million of net additional gross value added ('GVA') each year could be generated during the construction phase;
- During operation, up to 51 additional FTE jobs could be supported within the Borough, based on the proposed primary school, care home and local centre uses;
- During operation, a total of between £1.3 million and £1.9 million GVA annually in the local area, and between £1.6 million and £2.4 million in the Borough;
- Initial spending (first occupation expenditure) aimed at making a house 'feel like a home' of around £5.2 million; and
- An estimated resident expenditure within the Borough of £5 million per year, which would support a further 51 FTE jobs in retail, leisure, hospitality, catering and other local service sectors.

6.23 There would also be apprenticeship and training opportunities for local people provided during the construction and operational phases, offering opportunities for the upskilling of young people.

Social

6.24 As set out above, the site is accessible by a range of transport modes, encouraging active travel through close proximity to retail and services provision as well as other local facilities including schools, health services, and community centres. The proposed development also supports the established principles of place making and urban design which is fundamental in creating good places to live with high sustainability credentials. In turn, this supports opportunities for community development and social interaction.

6.25 The proposed development would generate a range of more qualitative social benefits including the provision of up to 700 new – including up to 280 affordable – homes for local people. This would add significant social value by addressing the shortage of housing, alleviating local housing affordability issues, and reducing homelessness (and the societal costs associated). As set out in the accompanying Social Value Statement, delivery of up to

700 homes (including 280 affordable homes) is estimated to have a social value impact of c.£3.3 million in terms of the improved housing affordability outcome.

6.26 The Social Value Statement also demonstrates that the proposed development represents the opportunity to provide improved local facilities that cater to local needs, enhance the quantity and quality of local education infrastructure, and provide a significant quantum of valued amenity and recreational open space for both future residents and the existing community (with associated health and wellbeing benefits).

Environmental

6.27 The indicative landscape strategy demonstrates that the proposed development promotes the creation of new and enhanced habitats, and the proposals would achieve an on-site net biodiversity gain of at least 10% (secured by a planning condition/S106 agreement).

6.28 The proposed development would incorporate a variety of energy efficiency measures to deliver a secure, sustainable, low carbon design. As set out within the accompanying Energy and Sustainability Statement submitted with the application (ES Appendix C6), this includes water efficiency measures, sustainable building materials and products, and renewable energy technologies such as Solar Photovoltaic (PV) panels and Air Source Heat Pumps.

6.29 As set out throughout this Statement, the site is situated in a highly accessible location with sustainable modes of transport (walking, cycling and public transport) available for future residents, promoting the use of active travel ahead of cars wherever feasible. The proposed development also includes substantial cycle parking provision and Electric Vehicle (EV) charging points are proposed to be provided for each dwelling to promote and encourage uptake of EVs and help reduce carbon emissions.

Summary

6.30 Given the contribution that up to 700 homes would make to help meeting the Borough's housing needs, the site would have a significant role to play in achieving sustainable development and it forms a logical extension to the built urban area. This consideration is a relevant part of VSC, and it is evident that the benefit of delivering up to 700 homes in a sustainable and key growth location is significant.

Very Special Circumstances

1. The need to release Green Belt to meet needs

6.31 The withdrawn draft Local Plan evidence base and process highlights that there is a very limited amount of developable urban land to meet the local needs for market and affordable housing; and the failure to do so would generate adverse housing, social and economic outcomes for families and households in the Borough who would be less able to access housing, would continue to see worsening affordability, and/or may need to travel further distances from outside the Green Belt.

6.32 Indeed, Solihull has a high percentage (66.5%) of Green Belt land, and the need to release Green Belt land was recognised by both SMBC and the Inspectors during the withdrawn draft Local Plan examination, with the Inspectors concluding that Exceptional

Circumstances exist to justify altering the Green Belt boundaries to accommodate housing growth². Further, the site was identified as one of the most sustainable locations within the Borough to deliver homes to meet local housing needs, and the withdrawn Local Plan process failed to identify or bring forward sufficient proposed allocations to address housing needs. In this context, it is considered that there are limited alternatives across the Borough to deliver the homes that Solihull will inevitably need to accommodate on greenfield sites within the Green Belt.

6.33 Fundamentally, the Borough's future housing requirements can only be achieved by building in the Green Belt, and the application site was considered suitable for release.

2. Allocation in the (withdrawn) Draft Local Plan

6.34 Notwithstanding its withdrawn status, the Solihull Draft Submission Plan (October 2020) was at an advanced stage and benefits from the Inspectors' findings and the evidence base behind it. Within the withdrawn draft Plan, the Green Belt was proposed to be altered, and the application site was identified as a proposed allocation under emerging Policy BL2.

6.35 As discussed earlier within this Statement, the Plan had been at examination for over three years, which combined with its recent withdrawal, has led to sustained and worsening housing delivery outcomes locally and is holding up the delivery of much needed housing on otherwise suitable proposed sites and allocations.

6.36 The Inspectors at the Local Plan Examination raised no concerns on the BL2 allocation and the reasons behind the Inspector's recommendation for withdrawal of the Plan did not relate to the appropriateness and soundness of this site. By nature of its proposed allocation, the site is also self-evidently considered to be in-principle suitable for residential development by the Council (save for its existing Green Belt designation). This was made clear within the Inspectors' letter¹ which confirms that the overall spatial strategy of the Plan and the housing site allocations were acceptable in principle.

6.37 While the emerging Plan has now been withdrawn, the site's status as a previous emerging allocation is an important material factor that should hold weight in the planning balance. The Inspectors did not identify any unresolved objections of relevance to the principle of the site allocation (as they did, for example, with other proposed allocations), and as detailed within the next section of this Statement, the development would be broadly consistent with its allocation for residential development in the withdrawn draft Plan. The proposed development also benefits from a supportive position in the July 2023 Climate Change & Planning Session, which remains an agreed approach to helping assess and determine related planning applications (see Appendix 3).

6.38 Development of the site would help to meet significant housing needs in the Borough and demonstrate delivery of the withdrawn Plan's aims and objectives. Successful Green Belt appeal decisions elsewhere have identified an allocation in an emerging Plan as constituting an important VSC factor.

3. A substantial housing land supply shortfall

6.39 It is a Government priority to boost the supply of new homes (NPPF Paragraph 60), and SMBC must demonstrate a five-year housing land supply (5YHLS). As set out earlier in this Statement, the Council has stated that it accepts that it does not have a 5YHLS, assessing

this at 3.6 years in its April 2021 position, subsequently superseded by a February 2023 appeal decision which confirmed that the Council can only demonstrate a supply between 3.02 and 3.6 years.

6.40 The significance of this housing supply shortfall is material and should be considered in the determination of this application and the consideration of VSC, with regard to the presumption in favour of development (NPPF Paragraph 11d). The greater the degree of shortfall, the greater weight the shortfall must be given in the balancing exercise. The extent of the 5YHLS shortfall is further compounded by the fact that there appears to be little prospect that housing needs (as identified by the standard method) will be met soon, without Green Belt sites being approved with VSC.

6.41 In particular, in relation to the withdrawn Local Plan, the Inspectors found that it '*would fall well short of providing a five-year supply*' even *with* the draft Plan allocations and without any buffer included in the calculations. There is therefore an urgent need to bring forward new housing land supply. This application has been submitted by a well-established national housebuilder and the site formed a proposed allocation included within the Council's long-term housing trajectory. In the absence of an up-to-date Local Plan, the benefit of the proposed development going someway to meet the 5YHLS shortfall should be given substantial weight.

4. Affordable housing need and delivery

6.42 As well as, or perhaps because of, a shortfall in affordable housing delivery within Solihull, the area faces acute affordability pressures and a high need for affordable housing. As set out earlier, there are over 3,588 individuals on the housing waiting list, there is a need in Solihull for 578 affordable homes per year (67% of all housing need) against an average annual delivery of 180 affordable homes since 2011, and the most affordable (lower quartile) house prices and rents are notably higher than regional and national averages.

6.43 The proposed development, with up to 280 affordable homes – 40% of the total number of homes on the site and in accordance with adopted and (withdrawn) emerging policy requirements – would make a significant and very important contribution to the affordable housing needs of the Borough and bring with it important benefits that affordable housing delivers to creating mixed, balanced and healthy communities. The delivery of much needed affordable housing should be given substantial weight.

5. Addressing specific housing needs

6.44 With significant increases projected in the number of people aged 75 and over, the Council's HEDNA also demonstrated a clear need to increase the supply of homes which are suitable for older people, and therefore for policy to support specialist provision – with a total need for 1,035 care bedspaces (residential care homes and nursing homes) over the emerging Plan period from 2020-36. The NPPF makes clear that providing housing for older people is critical, yet the withdrawal of the emerging Local Plan now means that there are no policies or site allocations in place to support this form of housing. The provision of a care home with up to 66-bedspaces at the site would make a significant and meaningful contribution to addressing the need for older people's housing in the Borough and should be given moderate weight in the consideration of the proposed development.

6.45 In addition to general, affordable and elderly housing needs, and as set out above, there is a significant need and demand for self and custom-built housing in the Borough – with a total of 585 individuals/associations on the Solihull Self and Custom Build Housing Register as of November 2022 (85% increase in the last three years, from 315 entries as of November 2019). The register indicates that supply is not meeting demand; the number of self or custom build CIL exemptions granted on planning permissions for new dwellings amounts to just 135 plots, compared to the total demand for 585 plots over the same period. As a site in a highly accessible and sustainable location, the delivery of up to 21 self-build plots will make a positive contribution to the supply in the Borough and should be given moderate weight in the consideration of the proposed development.

6. Enhancements to Green Belt

6.46 The proposed development will provide compensatory improvements and enhancements to the Green Belt on the balance of the applicant's controlled land, opening up currently inaccessible (privately owned) Green Belt land to beneficial public use.

6.47 These improvements include opening up currently inaccessible Green Belt land to sports and recreational access and providing improvements to the PRoW network. In particular, the existing PRoW footpath that runs along the eastern boundary of the site (and through the northeast corner of the proposed development) will benefit from an enhanced setting and increased surveillance, encouraging its use as the most direct route to Cheswick Green. Alongside new high-quality footpath and cycleway links proposed throughout the site, this improved access will promote active modes of travel between new homes, community facilities, and onwards into the surrounding areas, providing wider community benefits.

6.48 The creation of a substantial area of public open space within the southern extent of the site – which will remain within the Green Belt – will also provide further benefit to this land by providing an increase in sports provision, alongside the creation of new amenity space and equipped play areas, helping to address any deficiencies in open space. It therefore provides significant public benefits in line with NPPF Paragraph 147, which aims to offset the impact of removing land from the Green Belt through compensatory improvements to the environmental quality and accessibility of remaining Green Belt land.

6.49 Such social and environmental benefits should not be overlooked and have been demonstrated to constitute a key factor forming VSC. Given the extent of land to be made publicly accessible this should be given significant weight.

7. Enhancing sports provision

6.50 As set out previously and shown on the submitted Illustrative Masterplan, the proposed development accommodates the provision of sports facilities to the southeast of the site. The indicative proposals consist of two large football pitches and changing facilities, supporting opportunities for activity at various ages. Primarily, the provision and enhancement of sports facilities will provide significant community benefit and support the wellbeing of local residents, encouraging social inclusion and community participation for a range of people, leading to better quality of life, increased opportunities for shared experience and other social and physical benefits.

6.51 This is an important contribution that should be given significant weight as part of the overall site; the new sports facilities would be available for public community use and can only be secured as part of the wider development, with the value realised from the housing development allowing the new premises to be built.

8. Economic benefits

6.52 The accompanying Socio-Economic ES Chapter and Social Value Statement both provide a full detailed assessment of the economic benefits that would arise from the proposed development. Essentially, the proposed residential-led scheme represents an important opportunity for investment within the local area and the Solihull Borough, and the provision of new housing, a local centre, a primary school and sports facilities will generate a range of economic impacts that will make a significant contribution to the local economy and community.

6.53 Without repeating the benefits at length here (see paragraph 6.21 above), the quantifiable impacts of the proposed development relate to the direct and indirect creation of new jobs, construction investment, additional economic output and increased local spending. In addition to these quantifiable benefits, the proposal would generate a range of less tangible benefits including the provision of a primary school, local centre and sports facilities to support the local community, providing new – and affordable – homes for local people and making a notable contribution to economic and planning policy objectives for the Borough. This would have indirect economic benefits by alleviating local housing affordability issues, reducing homelessness and increasing productivity, through improved opportunities for community development and community and business interaction.

6.54 Green Belt appeal decisions elsewhere have noted that such economic benefits can contribute to outweighing any identified harm and can form an important VSC factor, and this should be given weight.

9. High quality and sustainable design

6.55 The design of the scheme has been sensitively developed to provide a development which reflects guidance on design and the local context. The design of the scheme and how it has evolved to respond to the opportunities of the site is set out in the DAS submitted with the application, which reflects the requirements at NPPF Paragraph 134 on design, as well as within the National Design Guide. Paragraph 139 of the NPPF states that:

“Significant weight should be given to: a) development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes...”

6.56 While the application is in outline, work has been undertaken in consultation with SMBC Officers to produce a high-quality Concept Masterplan for the wider withdrawn allocation site which, it is hoped, will be endorsed by the Council. A Design Code has also been submitted with the application, to guide the future design principles and provide a benchmark for quality placemaking within the development. This may be refined throughout determination of the application, to ensure it supports a highly sustainable and well-designed place.

6.57 Further, the new homes have been designed to include energy efficiency and sustainable design standards. The proposed houses would be constructed using timber frame systems, reducing embedded carbon and providing exceptional insulation properties. Each of the proposed homes are expected to be gas-free, with houses to be heated via air-source heat pump. All homes would also have solar photovoltaic panels on their roofs, meaning the development will contribute directly to renewable energy generation. As set out above, electric vehicle charging points will be provided to all homes.

6.58 Overall, this means that the proposed specification of the scheme would be delivering a significant carbon efficiency saving from the implementation of fabric efficiency measures and on-site renewable energy sources, which will be in accordance with the latest requirements set out in current local planning policy and existing building regulations. This is explained within the Energy and Sustainability Statement submitted with the application (ES Appendix C6).

6.59 This should be given moderate weight, as energy and climate change are key issues, and it is important that the application proposals seek to exceed minimum requirements.

10. Enhancing local drainage

6.60 As part of the proposed development, excavated flood storage areas (FSAs) are proposed to be located within the floodplain of the Mount Brook. These are located within the southern, low-lying parts of the site on the balance of the controlled land, with new ponds to improve drainage and retain water on site for longer where possible. In particular, the FSAs are proposed to offer increased flood storage on the site, with the aspiration to offer flood risk betterment to downstream receptors. The Flood Risk Assessment submitted with the application (ES Appendix H1) demonstrates that the proposed FSAs will offer approximately 9,650m³ of additional floodplain storage within the site.

6.61 This was recognised as an opportunity within the withdrawn draft Local Plan, whereby the proposed site allocation identified 'potential betterment for the Mount Brook tributary'. The comprehensive Sustainable Drainage Systems (SuDS) strategy therefore represents the opportunity to deliver significant downstream flood risk betterment through improved management of surface water runoff and increased floodplain storage at the site, compared to the existing situation. This is an important benefit, especially in relation to existing development to the south of the site, that should be given weight as part of the overall site.

11. Enhancing school provision

6.62 The NPPF outlines its goal of promoting healthy and safe communities in Paragraph 99, which emphasises the importance in the choice of available school places to meet the needs of existing and new communities, giving great weight to the need to create, expand, or alter schools. As set out earlier in this Statement, the proposed development includes the provision of land for a new one-form primary school within the north of the site (which could be expanded to two form entry in the future if needed), with the capacity to provide around 210 new school places.

6.63 As explained within the ES Socio-Economics chapter, Department for Education ('DfE') data shows that the 14 primary schools closest to the application site have a combined capacity of up to 4,416 pupils, with 4,450 pupils currently on roll, representing an overall

deficit of 34 pupil spaces. While a small number of primary schools have some limited capacity, this means that taken as a whole, primary schools within the local area are operating over the planned capacity.

6.64 The proposed school land will therefore meet the demand for local school spaces arising from the development as well as the surrounding area, helping to support development in the Borough. This will deliver improved social outcomes for future residents and the wider community by providing children with improved access to education, addressing capacity issues in the area and also reducing the need for people to travel to take their children to school.

Summary

6.65 Consideration of Very Special Circumstances and whether these are sufficient to outweigh the harms is a judgement call by the decision maker, having regard to the degree of harm, the reasons for the proposal and the extent of the benefits.

6.66 For this site, as confirmed by the withdrawn Local Plan allocation, the degree of harm is limited. The reasons for the application are very clear: there is a shortfall in housing land supply, a shortage of affordable housing, and no up-to-date Development Plan in place to ensure the delivery of new homes within the Borough. This is a highly sustainable location for residential development that would go some way to meeting the very real need for new homes in the Borough.

6.67 In addition, there are many other benefits of bringing this site forward (as explained above), including but not limited to the significant provision of new publicly accessible open space and sports facilities, delivery of affordable and energy efficient new homes, improved connections of the site to the wider footpath network and Green Belt, flood risk betterment, enhanced school provision and a wide range of economic and social benefits.

6.68 While there would be some harm to the Green Belt, by reason of inappropriateness and some limited loss of openness, such harm would be at the lower end of any scale. Taken all together, there are clear Very Special Circumstances and substantial benefits which substantially outweigh this limited harm to the Green Belt at this location. The application is, therefore, in accordance with policy as set out within NPPF Paragraph 153 and echoed within the adopted Solihull Local Plan Policy P17.

6.69 The proposal would also assist SMBC in meeting its housing needs and would promote sustainable patterns of development in line with the NPPF. As it is considered that VSC exist, this also means that the site's designation as Green Belt does not provide a clear reason for refusing development and that the presumption in favour of sustainable development continues to apply, in line with NPPF Paragraph 11d.

7.0 **Assessment of Proposed Development**

7.1 This section provides a comprehensive assessment of the proposed development against the remaining relevant policies in the NPPF, Development Plan and other material considerations outlined above, beyond the principle of development. These policies inform the following planning considerations, which represent the other key policy issues against which the planning application should be considered:

- 1 The Withdrawn Site Allocation
- 2 Housing Provision
- 3 Design, including Density and Height
- 4 Heritage and Archaeology
- 5 Landscape and Visual Impacts
- 6 Ecology, Biodiversity and Trees
- 7 Open Space, Play Space and Sports Provision
- 8 Access, Parking and Transport
- 9 Flooding and Drainage
- 10 Energy, Sustainability and Climate Change
- 11 Other Environmental Considerations
- 12 The Benefits and Overall Planning Balance

7.2 For the purposes of this assessment, the proposed development is assessed primarily against the adopted Local Plan (2013). However, regard has also been given to the policies of the more recent and significantly advanced, but now withdrawn, Local Plan (2020). These policies are based on more up to date evidence base or national policy and can be given weight in the consideration of the application as a material consideration. In cases where the application proposals accord with the more recent policies this is regarded as a material consideration in support of the proposals and an additional benefit.

The Withdrawn Site Allocation

7.3 Beyond the principle of development (discussed in the previous section), and as one of the most important VSC considerations being the inclusion of the site as an allocation within the withdrawn Local Plan, the site-specific policy set out that development would be supported subject to a number of requirements/matters. The below points set out a summary overview of how the proposals accord with these requirements (policy wording in *italics*), noting that these apply to both the application site and the Richborough land (the adjacent site to the east, not forming part of this application), and not all requirements are therefore relevant or able to be addressed by this application alone. Further detail is provided within the relevant assessment sections below as well as supporting application documents where relevant.

Principles as shown on the concept masterplan (see Appendix 2) which development should be 'broadly consistent' with are listed below. These requirements are included within the Parameter Plans submitted for approval.

- 1 *Respecting the setting of the Grade II Listed Light Hall Farm. Development should be set back from the immediate locality to avoid harm. Only if harm cannot be avoided should mitigation be considered.* The Parameter Plans show that the proposed development will work to respect the nearby heritage asset of Light Hall, with a break in the built form and incidental open space allowing for visual corridors and permeability through the development to the listed building. Lower density development is also proposed along the edges of Light Hall, providing an appropriate transition between development and the setting of the heritage asset.
- 2 *Provision of 8.2ha of public open space and a range of play areas for children and young people.* As set out earlier, the proposed development includes substantial provision of public open space, amounting to 27.91 ha and comprising a new public space in the south of the site, a NEAP, LEAP, amenity greenspaces, natural and semi natural space, sports provision and doorstep greens.
- 3 *Multi-modal access routes from Dog Kennel Lane that respond to those already established at the development at the Green.* The proposed access design for access from Dog Kennel Lane comprises two priority junctions, and pedestrian crossings will also be provided on Dog Kennel Lane from these junctions to ensure pedestrian connectivity from the site and through 'The Green'.
- 4 *Enhancement of bridleway access from Cheswick Green through the site as a pedestrian route and key green infrastructure link.* The proposals confirm that existing PRoWs through and within the vicinity of the site will be retained and improved as necessary. This includes the bridleway on the site's eastern boundary.
- 5 *Trees and hedgerows along Dog Kennel Lane should be retained to protect the character of the highway.* As shown on the Green and Blue Infrastructure Parameter Plan, existing vegetation along the northern boundary of the site will be retained, maintaining a landscape buffer to Dog Kennel Lane.
- 6 *On site accommodation for older people in accordance with Policy P4E.* As set out earlier, the Land Use Parameter Plan includes land for the provision of a care home with up to 66-bedspace, which would make a meaningful contribution to addressing the need for older people's housing in the Borough.
- 7 *5% of open market dwellings to be provided in the form of Self and Custom Build Plots in accordance with Policy 4D.* Similarly, the proposals include land to the northeast of the site for up to 21 self-build plots, to help meet the ongoing demand for self and custom build housing in the Borough.

Likely infrastructure requirements:

- 8 *New 2-form primary school and early years.* The Land Use Parameter Plan includes the provision of land for a new one-form primary school within the north of the site (which could be expanded to two form entry in the future if needed).
- 9 *Developer contributions to primary care health services in the vicinity and appropriate UHB secondary care services in the wider CCG catchment.* The proposed

development will make a contribution towards, social infrastructure as considered to be necessary, relevant and reasonable.

- 10 *Flood alleviation measures in the form of above ground SUDSs features and potential betterment for the Mount Brook tributary of the River Blythe.* As set out above, the proposed drainage strategy for the site includes flood storage areas within the floodplain of the Mount Brook, which are proposed to increase flood storage on the site and provide significant downstream flood risk betterment.
- 11 *Highway improvements as required including and access improvements along Dog Kennel lane.* The proposed development incorporates two new junctions on Dog Kennel Lane as well as pedestrian crossings to link into the existing active travel network, as shown on the Access and Movement Parameter Plan. Other off-site highway improvements will be agreed as necessary.
- 12 *Appropriate measures to promote and enhance sustainable modes of transport including bus services improvements and pedestrian and cycle connectivity towards Dickens Heath, the Stratford Road and Shirley Town Centre, in accordance with the Council's LCWIP.* The Access and Movement Parameter Plan shows a primary vehicular movement route is proposed through the site, designed to accommodate a regular bus service including locations for bus stops, and providing opportunities for onwards sustainable travel. The proposals also include connections to the existing pedestrian and cycle networks in the vicinity of the site and off-site pedestrian improvements to provide continuous pedestrian routes between the site and local facilities.

Green Belt enhancements:

- 13 *Country Park to south of development extending to edge of Cheswick Green. Will provide greater access to the countryside, green infrastructure provision and opportunities to maximise biodiversity net gain.* As above and identified on the Parameter Plan, the proposals include the creation of a substantial area of new publicly accessible open space within the southern extent of the site which will incorporate new amenity spaces, natural and semi natural space, sport facilities, playspace, sustainable drainage systems and green infrastructure links. This supports the achievement of an on-site net biodiversity gain of at least 10%.

7.4 As detailed above, the application proposals would be in general compliance with the now withdrawn site allocation policy BL2 which sought to establish the key parameters and components of the site. This is an important material consideration as set out in the Council's July 2023 Report which supports applications on proposed Green Belt site allocations in the (now withdrawn) Local Plan which set out how they meet the relevant draft site allocation policy, and remains an agreed approach to assessing such planning applications. The proposed development's overall compliance with the BL2 site allocation policy should be afforded significant weight in the planning balance when considering VSC.

Housing Provision

7.5 The adopted Solihull Local Plan ('SLP') (2013) recognises the need to deliver 11,000 homes in the Borough to 2028. While this policy (P5) is considered to be out of date, there is still a need to deliver new homes and the spatial strategy directs growth to accessible locations,

including the ‘mature suburbs’ of Solihull and Shirley and along key public transport corridors. The NPPF makes clear that the overall aim should be to meet as much of an area’s identified housing need as possible, including an appropriate mix of housing types for the local community (Paragraph 60). This should include housing for those who require affordable properties; families with children; older people; people with disabilities; and people wishing to commission or build their own homes (Paragraph 63).

7.6 First and foremost, the proposed development would provide up to 700 new homes (including affordable and self-build) making a significant contribution towards meeting local housing need. The withdrawn draft site policy (BL2) allocated the wider site (including the adjacent Richborough land) for 1,100 new homes (revised upwards during the Local Plan examination); therefore, providing up to 700 homes on roughly 70% of the envisaged BL2 site allocation boundary is considered to be in broad alignment with the policy. The NPPF (Paragraph 129) sets out that planning decisions should support development that makes efficient use of land, and the opportunity to achieve up to 700 homes whilst also supporting delivery of substantial green infrastructure, would accord with those principles.

7.7 A separate ‘Meeting Housing Needs Statement’ is appended to this Planning Statement (Appendix 1). The proposed broad housing mix, tenure split, and other housing related requirements are summarised as follows:

- **Affordable housing provision** – Adopted SLP Policy P4 (Meeting Housing Needs) requires that proposals for housing of more than 3 units to provide for 40% of the total homes to be affordable. This requirement was proposed to be carried forward in the withdrawn Plan, with draft Policy P4A also setting a requirement for 40% affordable housing provision. Taylor Wimpey proposes to provide up to 280 affordable homes (40% of 700), with a tenure split of 35% shared ownership and 65% social rent, in accordance with both policy positions. The location of affordable housing would be detailed at reserved matters stage but, in line with policy, would be designed to be tenure blind and ‘pepper potted’ avoiding large affordable housing clusters.
- **Housing mix** – While the precise housing mix is not submitted for approval at this stage, an indicative mix based on the Illustrative Masterplan (see Figure 3.2 above) demonstrates that the site could support a range of housing types and tenures that would help to develop a mixed and sustainable new community. In accordance with SLP Policy P4 and supporting text, the proposed indicative housing mix ranges has had regard to the site size and location, accessibility to services and public transport, and existing and expected local market demand for the private homes, and will necessarily need to be flexible to be able to respond to site circumstances and changing demand. This is an approach supported by SLP Policy P4 as well as the withdrawn draft Policy P4C (Meeting Housing Needs: Market Housing).
- **Older people housing** – SLP Policy P18 (Health and Wellbeing) sets out that support will be given to proposals which provide homes designed to meet the needs of older people. The withdrawn draft Local Plan proposed to go further, expecting all developments over 300 units to provide specialist housing or care bed spaces (albeit this would be applied flexibly) as well as expecting all homes to meet M4(2) standards. The Design Code submitted with this application confirms that all proposed homes will seek to achieve these standards, and this should be as an additional benefit of the proposals. In accordance with the withdrawn draft policy (including the site allocation),

the proposed development also include provision for a care home with up to 66 bedspaces. This provision and the exact number of units will be based on local demand and approved via future reserved matters submissions but has been discussed with SMBC's housing department during pre-application liaison.

- **Self-build** – The adopted SLP makes no provision for self or custom-build homes. The withdrawn emerging Local Plan sought to require the provision of 5% of open market homes as self/custom build plots on sites allocated for over 100 homes. The residential parameters sought in outline demonstrate that self-build land for the provision of up to 21 plots (5% of the 420 market homes proposed) is incorporated within the application site. The proposed development therefore meets this policy requirement, and as above, this is regarded as a material consideration in support of the proposals and an additional benefit.

7.8 Overall, it is considered that the proposed development will deliver a range and mix of new housing that will meet housing need and demand and will accord with the relevant housing related provisions set out in local and national planning policy.

Design, including Density and Height

7.9 The NPPF (Paragraph 131) makes it clear that creating high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is central to achieving sustainable development, creating better places in which to live and work and helps make development acceptable to communities. In this context, the NPPF states that planning decisions should ensure that development – *inter alia* – establishes or maintains a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit (Paragraph 135).

7.10 This emphasis on good design is also reflected in adopted SLP Policy P15 (Design Quality) which expects proposals to achieve good quality, inclusive and sustainable design, and defines several key design principles in relation to local character, landscape quality, and safe, active and attractive streets. As set out above, the withdrawn draft site allocation policy also set out principles that affect the layout of the development such as in respect of the design of development around Light Hall Farm, the provision of flood alleviation SUDS features, the promotion of sustainable modes of transport including bus services, and the creation of a park to the south of the development.

7.11 The submitted DAS (prepared by Pegasus) fully details the design evolution process, from identification of the key site opportunities to a finalised Illustrative Masterplan layout. This Illustrative Masterplan shows one interpretation of how the Parameter Plans could be realised. The Parameter Plans and illustrative masterplan design builds upon the vision of the Concept Masterplan and Design Principles for the wider allocation (submitted to the Council for endorsement) and aims to create and foster a new thriving community.

7.12 While the design of the proposals will – in the main – be for future consideration as part of reserved matters submissions, the DAS sets out the key layout principles that have influenced the proposed development, including (but not limited to):

- 1 Responding to the setting of the Grade II listed Lighthall Farm and seeking to preserve those elements that make the greatest contribution to its significance. This includes the preservation of the historic driveway and designed view from the north.
- 2 Providing surface water management measures in the form of above ground SuDS to offer betterment to existing downstream flood risk.
- 3 Designing the primary spine road in line with the SMBC Residential Design Guide, including to accommodate two-way bus movement and bus stops provided at approximately 400m intervals, alongside 2m footways on both sides and a 3m cycleway on one side.
- 4 Locating the proposed primary school and local centre at the heart of the development, next to the central green, ensuring that future residents are located within a comfortable walking and cycling distance.
- 5 Working with the natural topography of the site and existing landscape character to maximise the multifunctional capability and connectivity of green and blue landscape elements in the site. This includes retaining existing mature trees and hedgerows as far as possible.

7.13 SLP Policy P5 supports higher densities of development in locations with good accessibility to facilities and that are well accommodated by public transport. Across the proposed development, there will be a range of building heights and densities, reflective of character areas that respond to differing land uses and objectives for the site. The Parameter Plans set out density and four differing character areas for housing development, ranging from homes up to 2 storeys at 30-33dph in Lighthall Edge areas, to homes of up to 2.5/3 storeys at 38-40 dph in The Avenue. This approach to residential density aligns with the key primary movement routes while allowing higher density development to be buffered to the open space, rural and sensitive edges. This principle – captured in the submitted Design Code – is considered appropriate to the proposed uses and setting, in the context of SLP Policy P15 and the wider aims of the NPPF (i.e. supporting the efficient use of land).

7.14 Overall, the layout of the development proposed incorporates key features for the site, as fully explained in the DAS. It will enable ease of movement through a permeable site and will be able to incorporate a variety of layouts, uses, street types, building sizes, forms, and landscapes, responding to the principles of high-quality places as per Policy P15.

Heritage and Archaeology

7.15 Legislation relating to the protection of the historic environment is set out in the Planning (Listed Buildings and Conservation Areas) Act 1990. This requires local planning authorities to have special regard to the desirability of preserving the special interest of listed buildings, conservation areas and their settings.

7.16 Adopted SLP Policy P16 (Heritage) sets out that development proposals should preserve or enhance heritage assets as appropriate to their significance, conserve local character and distinctiveness and create or sustain a sense of place. This is in line with the NPPF (Paragraphs 205-214), which states that proposals resulting in 'substantial harm' to or 'total loss of significance of' a designated heritage asset will only be permitted where it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial

public benefits that outweigh that harm or loss. In weighing applications, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

7.17 This planning application is supported by an Archaeological and Heritage Assessment (ES Appendix D1). In terms of archaeology, this finds the site has a very low potential to contain archaeological remains, other than ‘negligible’ value features related to former farming practices; as such, there is no reason to believe that these remains are of sufficient interest to warrant further investigation.

7.18 With regards to heritage, the assessment clarifies that while the site itself does not contain any designated heritage assets, the Grade II listed Light Hall would be affected by the proposed development, resulting from the loss of historically associated farmland to its west and east. However, the assessment finds that the ‘harm’ (i.e. loss of significance) resulting from residential development in the wider farmland setting of Light Hall *“could only be relatively small because this aspect of its setting only makes a small contribution to its overall significance.”*

7.19 The assessment goes on to identify that the level of harm should also be balanced against the benefit of providing a comprehensive masterplan design that sees Light Hall as an ‘opportunity’ to be brought into the development, providing a focal point and imbuing it with a sense of character. Indeed, the DAS, Illustrative Masterplan, Parameter Plans and Design Code all demonstrate the consideration of Light Hall in the careful design of the proposals, with the ‘Light Hall Edge’ character area comprising lower density development, sympathetic elevational treatments, and strong levels of enclosure consistent with period dwellings including landscape hedgerows to front gardens. Existing, glancing views toward the listed building are also maintained through the orientation of roadways, the historic drive to the north is preserved, and open space is proposed around its immediate setting.

7.20 The heritage assessment concludes that the overall effect of the proposed development would result in a small level of harm to the significance of Light Hall, which would be at the lower end of “less than substantial” harm.

7.21 As per the NPPF, heritage impact falls to a weighed and balanced judgement against the public benefits of the scheme. The level of less than substantial harm is considered moderate and needs to be balanced against the substantial “public benefits” arising from the proposed development, including in terms of delivering the housing growth on this sustainable site and the social, economic and environmental benefits that it would bring, as explained in this Planning Statement. It is considered that the level of harm is significantly outweighed by the identified public benefits.

Landscape and Visual Impacts

7.22 The NPPF states that in achieving well-designed places, developments should be sympathetic to their surrounding landscaping setting (Paragraph 135c). It also states that planning policies and decisions should contribute to and enhance the natural and local environment by (inter alia) protecting and enhancing valued landscapes (180a).

7.23 SLP Policy P15 seeks to conserve and enhance landscape quality, requiring the consideration of the impact on and opportunities for green infrastructure at the earliest

opportunity in the design process. Policy P14 also seeks to safeguard important trees, hedgerows and woodlands, while encouraging the provision of new and replacement tree and hedgerow planting.

7.24 The submitted Green and Blue Infrastructure Parameter Plan details the proposed strategy and layout of green infrastructure throughout the site. The DAS and Illustrative Masterplan demonstrate how these parameters could be interpreted and implemented to create well-designed landscaped areas that conserve and enhance local landscape, minimising visual impact. The application is also supported by a 'Landscape and Views' Chapter in the ES (Chapter F), which itself is supported by various appendices including a Landscape and Visual Baseline Impact Assessment (LVIA), LVIA Assessment of Effects Table, and an Arboricultural Impact Assessment (Appendices F1 to F3). Against the relevant policies noted above, these documents conclude the following:

- **Landscape strategy and mitigation** – the landscape and visual sensitivities of the site have influenced the design of the proposals, with mitigation designed to avoid or reduce potential landscape and visual effects. This includes: the provision of open space around Light Hall; the enhancement of the 'Southern Greenway' public open space in the south of the site including new woodland buffer planting; retention of key landscape features including field boundary hedgerows, oak trees along road corridors and woodland copse; additional tree planting to screen and soften views of development; sensitive treatment of the site boundaries; and new and strengthened green infrastructure connections.
- **Landscape effects** – The only significant effect during the construction and operational phases is the effect on the landscape character and fabric of the site itself, resulting from the direct changes necessary to convert any site from agricultural land to predominantly built urban form with areas of green space. This would result in the loss of agricultural land and fundamentally alter the character of this area. However, upon establishment and once planting is mature impacts will be moderated. The site does not lie within any landscape designations and there are no factors in terms of the site's biodiversity, arboricultural, heritage or archaeological value which wholly preclude the change of use as a matter of principle.
- **Visual effects** – The most significant visual effects would also happen on nearby footpaths and roads and the northern extent of Cheswick Green, while new planting is establishing. However, all significant effects are restricted to within a 300m radius of the site's boundary, and the greatest of the effects during construction (i.e. the movement and activity of construction vehicles and operations) would be short term in duration. The assessment confirms that the proposed development would become increasingly integrated with a new settlement edge to Solihull which is greener in appearance compared to the settlement edge experienced at present, and that properties on the northern edge of Cheswick Green would only experience glimpsed views, substantially limited over time by the mitigation measures above.

7.25 The assessment concludes that the landform of the site and its landscape context, alongside existing trees and hedgerows retained within the development, notably reduces the available intervisibility between the site and surrounding context to within 300m of its boundary, despite its size. As such, the type and form of development proposed on the site is considered to be acceptable in landscape character and visual amenity terms. Positive

benefits of the scheme include improvements to green infrastructure and recreational access (including formal sports pitch and play provision), a significant increase in hedgerow and tree planting across the site, SuDS features extending through the public open space areas providing a visual and physical link, and other new landscape features providing both wildlife and amenity benefits.

7.26 On this basis, while there is inevitably a landscape and visual impact of the development, the site was proposed for development in the withdrawn Plan and the landscape and visual assessment concludes that once the development is established it will conserve and enhance the landscape character. Overall, it has therefore been demonstrated as far as is practical that it meets required local and site-specific landscape and visual impact requirements. Specific requirements will be dealt with further under subsequent reserved matters applications.

Ecology, Biodiversity and Trees

7.27 The NPPF states that development should contribute to and enhance the natural and local environment (Paragraph 180), protecting and enhancing valued landscapes and sites of biodiversity value and minimising impacts on and providing net gains for biodiversity. Reflecting these overall aims, adopted SLP Policy 10 (Natural Environment) sets out that the Council will seek to incorporate measures to protect, enhance and restore the landscape and green infrastructure assets across the Borough. The policy also states that development should enhance accessibility to the natural environment where appropriate, and that developments should incorporate appropriate mitigation of impacts and compensation to deliver a net gain in biodiversity, habitat creation, landscape character and local distinctiveness.

7.28 The Ecology Chapter (Chapter G) of the ES sets out that habitats on the site would be appropriately managed to create attractive spaces for both wildlife and people, with clearly marked footpaths and appropriate planting to facilitate different recreational uses, as shown on the Access and Movement Parameter Plan. In terms of potential effects on the Mount Brook and on the River Blythe SSSI, the assessment also demonstrates that these will be avoided or reduced to insignificant levels by the detailed design and implementation of the surface water drainage system.

7.29 Overall, the majority of identified adverse effects have been avoided or reduced through inherent mitigation incorporated into the Parameter Plans accompanying the application as well as the Framework CEMP (submitted at ES Appendix C7) which details all embedded construction stage measures. Notwithstanding, to deliver, and where possible maximise, opportunities for biodiversity enhancement and gain through the proposed development in accordance with the NPPF and SLP Policy 10, additional measures include detailed design coming forward in line with the Design Code, the provision of an Ecological Construction Method Statement (ECMS), and the provision of a Landscape and Ecology Management Plan (LEMP) / Habitat Management and Monitoring Plan (HMMP). These will deliver a range of on-site habitat creation to encourage greater biodiversity, such as:

- Measures to restore, maintain and enhance the woodland, hedgerows, grasslands, trees and the stream within the site;

- Measures to control the recreational use of on-site habitats including clear demarcation of footpaths and retaining the woodland as a ‘dark zone’; and
- Planting of approximately 1km of native species-rich hedgerow and treelines within the proposed development’s open spaces.

7.30 In terms of biodiversity net gain, the submitted Biodiversity Impact Assessment (ES Appendix G2) demonstrates that the development of the site in line with the Illustrative Masterplan and Green and Blue Infrastructure Parameter Plan – and their assumptions regarding habitat retention, creation, enhancement – can achieve a minimum 10% net gain in units. This includes an 11% net gain in habitat units, a 10% net gain in watercourse units and an over 13% net gain in hedgerow units.

7.31 Related to this assessment, the accompanying Arboricultural Impact Assessment (ES Appendix F3) finds that implementation of the proposed development would result in the loss of five category C features alongside selected stem removal of 11 category C hedgerows. However, these features are of low quality, and the identified 54 category A items of high quality, and 63 category B items of moderate quality, are all proposed to be retained and enhanced as part of the proposals. As such, the proposed development accords with SLP Policy P14, insomuch that existing trees and hedgerows are retained and enhanced. The proposals also offer significant enhancement opportunities through replacement and supplementary planting and ensures the sustainable retention and diversification of the tree stock, through the delivery of detailed landscape and biodiversity strategies.

7.32 On this basis, it is considered the proposed development will contribute to and enhance the natural and local environment, and deliver net gains in biodiversity, in accordance with the relevant ecological related provisions set out in local and national planning policy.

Open Space, Play Space and Sports Provision

7.33 This section addresses the requirement for an Open Space Statement.

7.34 The draft withdrawn BL2 site allocation policy required provision of 8.2ha of public open space and a range of play areas for children and young people. Adopted SLP Policy P18 (Health and Wellbeing) expects new development to promote, support and enhance physical and mental health and wellbeing, including providing opportunities for physical activity/play, a high-quality public realm, and safe and convenient walking and cycling networks. The policy also seeks to incorporate private amenity space as well as planting, trees, open spaces and soft surfaces.

7.35 In addition, SLP Policy P20 (Open Space Provision) requires provision for and maintenance of appropriate open space, sports and recreational facilities as an integral part of new development; this should address identified shortfalls in local provision and provide for the need arising from the development. The policy does not set out specific quantum standards. Proposals for family housing are expected to provide safe children’s play. In relation to sports facilities, Policy P20 supports proposals for new facilities providing that the development: addresses any shortfall in provision; is of a scale and size appropriate to the hierarchy of Town Centres; is situated within an accessible location; and accords with other Green Belt and Amenity policies.

7.36 As set out in Section 3.0 of this Statement, the proposals deliver a green infrastructure strategy that will lead to comprehensive and significant network of green spaces providing enhanced opportunities for play, recreation, biodiversity, health, wellbeing and water management. A new ‘Southern Greenway’ park within the southern extent of the site will provide a varied open space linking Tanworth Lane to the SL69 (PRoW). This is complemented with a lattice of smaller green corridors through the new neighbourhoods, with smaller areas of local and pocket parks, amenity open space and network of play spaces (including provision of a LEAP and NEAP), designed to ensure everyone has access to a variety of green spaces on their doorstep.

7.37 The Illustrative Masterplan also shows the potential for sports facilities to be delivered at the site, located to the southeast in the area of public open space, including two sports pitches, parking and changing facilities. As set out earlier, the indicative design proposes two large football pitches to support opportunities for activity at various ages and promote the wellbeing of local residents. The requirements for and details of these facilities are to be discussed with the Council.

7.38 This strategy informs the Green Infrastructure Parameter Plan which outlines the proposed distribution of open space. The principles for how this would be implemented is contained within the DAS at Section 6. In total, the Land Use Parameter Plan shows that the open space proposed by the development amounts to 27.91 ha (54% of the site area).

7.39 This demonstrates that the proposals at Land South of Dog Kennel Lane will exceed the relevant minimum requirements expected by the withdrawn draft site allocation, as well as current Policy P20, predominantly due to the generous public park proposed to make the best use of sustainable drainage features and green infrastructure opportunities across the site.

Access, Parking and Transport

7.40 The NPPF promotes sustainable transportation and developments must provide appropriate opportunities to promote sustainable transport modes which are safe and suitable for all users.

7.41 SLP Policy P7 sets out the Council’s aim to promote sustainable modes of transport in the Borough, expecting development to meet several accessibility criteria including being within 800m walk of local facilities, 400m walk of bus stops, and 800m walk of a rail station. Proposals that do not meet these criteria are otherwise required to provide improvements to sustainable transport measures, including improvements to public transport provision, cycling and/or walking measures. SLP Policy P8 sets out the separate matters of ensuring development does not have a significant detrimental effect on transport efficiency or highway safety, ensuring development reduces the need to travel, and requiring parking provision ‘in accordance with an SPD’.

7.42 The Solihull Parking Standards SPD (June 2006) has adopted ‘maximum’ car parking standards with appropriate consideration to the local context of each site. Car parking for each land use should be provided in line with the maximum standards set out in Table 7.1. The SPD does not provide specific cycle parking standards. Instead, it states that *‘In developing and implementing vehicle parking standards the Council will normally require provision for safe; secure cycle parking in developments and appropriate provision for motorcycle parking.’*

Table 7.1 – Summary of Maximum Car Parking Standards

Type	Car Parking Standards
A1 Shops (Food Retail)	1 space per 14m ² (*over 1000m ²)
C3 Dwelling Houses	An average of 2 spaces per dwelling unit (excluding integral garages), unless at accessible locations where only one space per unit will be permitted. Exceptionally, for sites in an accessible location but with a main road frontage, two spaces per unit may be required on road safety grounds.
D1 Education (Primary School)	2 spaces per classroom, plus whatever additional provision may be deemed necessary to ensure the operation of the approved Travel Plan.

Source: Solihull Parking Standards SPD (June 2006)

7.43 As set out in Section 3.0 of this Statement, the Access and Movement Parameter Plan (ref. P21-3274_DE_003_05 Rev E) indicates the principal movement and access points into and around the site, for vehicular as well as pedestrian and cyclist movement. This includes three vehicular access points into the site, from Tanworth Lane at the roundabout junction with Dickens Heath Road, and two access points from Dog Kennel Lane. These site access points fall within the detailed element of the application, and the accompanying detailed site access drawings (Visibility Splay on Signal Crossing reference PD13.1, West Site Access to Dog Kennel Lane reference PD13.2, East Site Access to Dog Kennel Lane reference PD13.3, and Tanworth Lane Roundabout Site Access (reference PD13.4) are submitted for approval.

7.44 The application submission includes a Transport Assessment ('TA') (ES Appendix E1) which confirms the following key matters:

- The site is well located regarding accessing a range of transport networks including the active travel and public transport networks, such that future residents would not have to rely on the private car to access day-to-day facilities.
- The primary spine road (which will come forward as a reserved matter) will be designed to accommodate two-way bus movement and stops through the site. Initial discussions have taken place with Transport for West Midlands (TfWM) who are supportive of the proposal to divert and re-route existing buses through the site.
- The impact of the proposed development at the site access junctions is demonstrated to be minimal, with mostly imperceptible increases to delay and queuing at the site access junctions. Equally, the findings from the junction modelling and existing traffic behaviour will not result in any detrimental impact to highway safety and would not give rise to any unacceptable safety impacts.
- Parking provision will be detailed at reserved matters stage, but the parking strategy for the site includes provision for electric vehicle charging for each home and is expected to be provided in line with SMBC's maximum car parking standards set out in Table 7.1, including an average of 2 spaces per dwelling. Cycle parking will be available for all residential plots within sheds or garages, within the curtilage of properties, as part of the development. An appropriate level of long stay and visitor cycle parking will also be provided for the primary school and local centre.
- The functionality of the proposed site access junctions has been tested through swept path analysis for the range of vehicles that are routinely expected to access the site as well as emergency vehicles (including refuse collection, fire tender, and public bus). The

site access junctions have also been subject to a Stage 1 Road Safety Audit (RSA) which found no issues with the design and safety of three proposed site access junctions.

7.45 An Overarching Travel Plan (ES Appendix E2) is also submitted alongside the application which sets out the measures that will be implemented to support residents' travel habits in encouraging sustainable travel for short journeys and shared or public travel for longer journeys.

7.46 It is considered that the proposed development promotes sustainable travel from the outset where possible, providing links to existing facilities and established pedestrian routes. The inclusion of a primary school and local centre on site as part of the development will also reduce the need to travel in the first instance, particularly in relation to education trips during the peak morning period. Overall, it is therefore considered the proposed development would be acceptable in transport terms and would comply with local and national policy criteria.

Flooding and Drainage

7.47 The NPPF (Paragraph 165) states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). It continues to set out that all plans should apply a sequential, risk-based approach to the location of development – considering all sources of flood risk and the current and future impacts of climate change – to avoid, where possible, flood risk to people and property (Paragraph 167). The Framework also states that where planning applications come forward on sites allocated in the development plan through the sequential test, applicants need not apply the sequential test again (Paragraph 172). Development should only be allowed in areas at risk of flooding where it can be demonstrated that (inter alia) the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different location.

7.48 The adopted SLP Policy P11 (Water Management) requires development to: be served by appropriate sewerage infrastructure and capacity; demonstrate the highest possible standards of water efficiency; incorporate sustainable drainage systems and ensure that adequate space is made for water within the layout; and promote the reduction of flood risk, wherever possible.

Flood Risk

7.49 As set out earlier in this Statement, the majority of the site is located in Flood Zone 1, with parts of the site within Flood Zones 2 and 3 of the Mount Brook. This flows through the southwest of the site in a south-easterly direction. A tributary of the Mount Brook also flows into the site from the west, outfalling to the Mount Brook within the southwest of the site.

7.50 The proposed residential-led development has been sequentially arranged to locate all 'more' and 'less' vulnerable development within Flood Zone 1 (land at a low probability of flooding). Only water compatible land uses, including flood storage, landscaping, amenity and biodiversity area, are proposed within Flood Zone 3 and 2. As previously explained, excavated flood storage areas (FSAs) are also proposed to be located within the floodplain of the Mount Brook to offer increased flood storage on the site and flood risk betterment to downstream receptors.

7.51 In compliance with the requirements of the NPPF, and subject to the recommended flood mitigation measures proposed (as identified within Section 4 of the submitted Flood Risk Assessment ('FRA'), ES Appendix H1), the development could therefore proceed without being subject to significant flood risk in accordance with relevant policy requirements. The proposed development also offers downstream flood risk betterment through the improved management of surface water runoff discharging from the site and by increasing the available floodplain storage on the site.

Sequential Test

7.52 The SMBC Level 2 Strategic Flood Risk Assessment ('SFRA') (2020) was produced to facilitate the application of Sequential and Exception Tests to screen those sites proposed to be allocated for development within the now withdrawn SMBC Submission Local Plan (2020). The majority of the application site is assessed as 'Site 12' within the Level 2 SFRA. Site 12 also includes the Richborough land to the east (not the subject of this planning application). The detailed site summary identifies the potential for flood storage within the site for flood risk management within the wider Blythe Catchment.

7.53 The allocation site (Site 12) in the withdrawn draft Local Plan was concluded to pass the sequential test in the supporting evidence base. The application site extends beyond the draft allocation; however, a sequential approach has been retained to ensure that the most vulnerable elements of the built development are located in the areas of lowest flood risk. Land south of the built development line includes proposed ecological improvements, proposed public open space and the provision of flood storage areas, to offer downstream flood risk betterment. The inclusion of these elements means that the application boundary extends much further south-west and into Flood Zone 3 and 2 and areas of high and medium surface water flood risk – both of which are associated with the Mount Brook watercourse.

7.54 For context, where the proposed built development (including the associated SuDS drainage ponds) has been proposed outside of the withdrawn draft allocation boundary, it has been located sequentially. As shown within the FRA submitted with the application, the proposed built development is located in areas of low fluvial and low surface water flood risk. These areas are also not at risk from reservoir sources, they are not subject to any known artificial sources of flood risk, and there are no recorded instances of historical flooding. Therefore, these areas are aligned with the aim of the sequential approach as identified in the NPPF, i.e. development has avoided areas of medium and high flood risk.

7.55 Further, by their very nature, flood storage areas need to be located in the floodplain; if these were located on land at less flood risk then they would provide no benefit to the downstream community. This is reflected in Annex 3 of the NPPF which identifies that flood control infrastructure, as well as amenity open space, nature conversation and biodiversity, and outdoor sports and recreation, is water compatible development.

7.56 Overall, therefore, it is considered that the sequential test has been met for the application because the proposed area of built development broadly aligns with the area tested through the Council's SFRA and the draft allocation in the now withdrawn Local Plan. At the time, SMBC was satisfied that the sequential test had been met for the allocation, as were the Local Plan Inspectors, and there has been no material change in circumstance since that time to justify a requirement for a new assessment.

Sustainable drainage

7.57 The Sustainable Drainage Statement (SDS) (ES Appendix H2) submitted with the application sets out the principles of the proposed drainage strategy. An Illustrative Drainage Strategy is included as Appendix 7 to the SDS.

7.58 In terms of surface water, the SDS explains that the necessary surface water storage volume is proposed to be located within detention basins at the lowest elevation of each catchment area, between the proposed development and the outfall location. Surface water runoff from each catchment will be stored within an above ground detention basin, landscaped into the public open space. At this outline design stage, it is expected that a minimum of 10,240m³ of attenuated storage will be provided to cater for the maximum anticipated runoff volume for all storm durations up to the 1 in 100-year return period storm, including a 10% climate change allowance and future urban creep for residential development.

7.59 For foul water drainage, the SDS sets out that a new connection will be required, which is proposed to outfall to the existing Severn Trent Water public foul sewer at the closest connection point to the south of the site. To aid with the phasing of the development, it is proposed that three individual connections are made to this sewer at several manholes. The suggested connection points are shown on the Illustrative Drainage Strategy.

7.60 The SDS demonstrates that the drainage strategy for the development will comply with the relevant local and national standards, specifically the hierarchy of discharge, runoff rate and volume criterion. It is intended to support an outline planning application, and as such the level of detail included is commensurate and subject to the nature of the proposals. Implementation of a detailed drainage strategy, in accordance with the principles set out, will be secured through a planning condition.

Energy, Sustainability and Climate Change

7.61 The NPPF highlights the role of the planning system in supporting a transition to a low carbon future in a changing climate (Paragraph 157). It sets out that new development should avoid increased vulnerability to a range of impacts from climate change and help to reduce overall greenhouse gas emissions, including through location, orientation and design (Paragraph 160). This also includes increasing the supply of renewable energy as part of new developments.

7.62 SLP Policy P9 (Climate Change) requires new development to incorporate decentralised energy and heating networks where possible. Where decentralised networks are unviable or unsuitable, on-site energy efficiency measures and low/zero carbon energy generation should meet a carbon reduction equivalent to a minimum of 20% of predicted energy requirements.

7.63 The application is supported by an Energy and Sustainability Statement prepared by BWB (ES Appendix C6). This is accompanied by the 'Climate Change' chapter in the ES (Chapter M). The Statement and ES chapter set out how the proposed development can be designed to comply with national and local policies related to sustainability, energy use and efficiency, water use and carbon dioxide (CO₂) emissions. The statements are intended to be high-level strategy documents and detailed options, particularly at the building design level, are intended to be refined and presented as part of each reserved matters application.

7.64 However, the statements demonstrate compliance to Policy P9, for the proposed development to deliver a sustainable and low carbon building design at the reserved matters stage, as follows:

- The proposed development will adopt the use of an energy hierarchy to reduce energy demand and CO₂ emissions through passive design measures and a 'fabric first' approach.
- This will ensure energy consumption via space heating and cooling is reduced. Passive solar consideration will also form an integral part of the proposed development design to ensure excessive solar gains and heating/cooling loads are reduced.
- The most appropriate on-site renewable energy technologies that will be incorporated within the proposed development are Solar Photovoltaic (PV), Air Source Heat Pump, and Wastewater Heat Recovery Systems.
- The scheme will utilise appropriate overheating mitigation measures, sustainable building materials such as timber frame systems, and infrastructure for EV charging points.
- The proposals aim to reduce water consumption by implementing various water efficiency measures, such as dual flush WCs, water meters, and low-flow fittings and fixtures. Indicative water efficiency calculations demonstrate an estimated consumption of 110 l/p/d, which exceeds current building regulation requirements of 125 l/p/d.

7.65 Overall, it has been demonstrated as far as is practical at outline application stage that it is possible for the proposed development to meet required local and site-specific sustainability requirements both during construction and operation. Specific requirements will be dealt with under subsequent reserved matters applications. Measures are included to mitigate and adapt to the impacts of climate change to ensure compliance with local policy.

Other Environmental Considerations

Noise, vibration and air quality

7.66 NPPF Paragraph 191 states that planning decisions should ensure that new development is appropriate for its location, considering the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so, they should mitigate and minimise potential adverse impacts resulting from noise from new development and avoid noise giving rise to significant adverse impacts on health and quality of life. Reflecting the NPPF, SLP Policy P14 (Amenity) seeks to protect and enhance the amenity of existing and potential occupiers of houses, businesses and other uses, including in relation to air quality and noise.

7.67 An assessment of the potential air quality effects of the proposed development has been carried out and is submitted in Chapter J (Air Quality) of the ES (as well at relevant technical appendices). The assessment concludes:

- During construction, the effects from the impacts of dust including on human health will be negligible, with measures to be secured via a CEMP, such as wheel washing and damping down, to minimise impacts from construction dust.

- Due to the residential nature of the proposed development, there is no potential for major hazards or accidents with regard to air quality.
- Impacts on humans from NO₂ concentrations, PM₁₀ concentrations, and PM_{2.5} concentrations are anticipated to be negligible.
- The proposed mitigation measures included in the development to benefit local air quality – comprising EV charging infrastructure, secure on-plot cycle storage, gas-free homes, and PV panels – will significantly exceed the 'health cost' associated with development-generated traffic emissions.
- Overall, the proposed development is not predicted to result in any new exceedances of current relevant air quality objectives and the impacts of the development on local air quality is predicted to be negligible.

7.68 An assessment of the potential noise and vibration effects of the proposed development has also been carried out and is submitted in Chapter I (Noise and Vibration) of the ES (as well at relevant technical appendices). The assessment considers predicted levels of noise in the vicinity of 13 'worst-case' receptors, and concludes:

- During construction, there will be temporary impacts from construction noise and vibration on existing residential receptors, however the potential effect taking into account proposed mitigation measures is not significant. Control on construction working hours will also help mitigate and reduce these impacts.
- Once development is complete, noise from plant equipment and development generated road traffic can be addressed with no additional mitigation required.

7.69 The above demonstrates that no significant noise, vibration or air quality impacts will occur from the proposed development which cannot be appropriately mitigated for. The proposals therefore accord with requirements of both local and national policy.

Land conditions

7.70 NPPF paragraph 189a requires (inter alia) that planning decisions ensure sites are suitable for the proposed use taking account of ground conditions and any risks arising from land instability and contamination. SLP Policy P14 requires proposals for development on land known or suspected to be contaminated to include appropriate information to enable the potential implications to be assessed and to incorporate any necessary remediation.

7.71 An assessment of the potential ground condition and soil impacts of the proposed development has been carried out and is submitted in Chapter L (Ground Conditions & Contamination) of the ES (as well at relevant technical appendices including the Phase 1 Geo-Environmental Assessment and Phase 2 Ground Investigation). The assessments conclude:

- The site has seen little development through history and has remained predominantly as agricultural land. The site remained relatively unchanged until at least 1955, by which time the electricity pylons and associated overhead lines were recorded.
- In relation to soil contamination, contaminant concentrations are below the adopted assessment criteria for the specified land use and remedial measures will not be required to protect human health or controlled waters receptors.

- The residual impact on construction workers and future residents will be negligible, taking into account additional ground gas protection and mitigation measures.

7.72 The above demonstrates that no significant ground condition impacts will occur from the proposed development which cannot be appropriately mitigated for. The proposals therefore accord with requirements of both local and national policy.

The Benefits and Overall Planning Balance

Delivering Social Value

7.73 The proposed development represents the development of a new, mixed-use and inclusive neighbourhood for Solihull. It will transform the site to provide a place with a mix of new homes, a primary school, a care home and supporting retail, leisure and community uses. In doing so it will provide up to 700 new homes and deliver a suite of social value benefits to the Borough. These are set out in full within the submitted Social Value Statement, but include **strengthening communities** and **delivering economic growth** by:

- Securing and enhancing the quantity and quality of the local education infrastructure.
- Providing improved local facilities that cater to local needs.
- Delivering 280 affordable and 420 open market houses to help address the shortage of housing. This is estimated to have a social value impact of c.£3.3 million in terms of the improved housing affordability outcome.
- Providing varied types of open space to provide opportunities for recreation, health and wellbeing benefits. The social value of high-quality open space within walking distance for future residents is estimated to be c.£5 million.
- Encouraging active travel through close proximity to retail and services provision and the creation of safe and convenient active travel routes. The social value of this is estimated to be c.£3.6 million for the proposed development.
- Delivering housing whereby residents will not fear being affected by crime. The social value of this for the proposed development is estimated to be c.£3 million.
- Supporting 140 direct FTE construction jobs per annum over the ten-year build period. The social value of the creation of jobs whereby employees can move from unemployment to full time employment is c.£18 million over the construction period.
- Supporting local workers to access employment, training opportunities and upskilling. The social value of supporting 17.5 apprentices through the construction period is estimated at c.£210,000.
- Creating up to 54 (gross) jobs in the local centre, care home, and primary school. The creation of jobs in the local centre and care home provides an opportunity for up to c.£700,000 of social value to be generated per annum. The creation of permanent employment opportunities provides additional social value in the provision of financial comfort and security.

The Planning and Public Benefits

7.74 In addition to the above social value benefits, there are a range of planning and public benefits that will be realised for the wider benefit of the local area and Borough. This is set out in full in the VSC case and assessments above, but include:

- Creation of a new mixed-use neighbourhood and community which supports SMBC's needs and ambitions for growth.
- Delivery of up to 700 new homes, including self-build homes, helping to meet Solihull's housing needs and requirements.
- Delivery of up to 280 affordable homes, helping to meet acute affordable housing needs in the Borough.
- Delivery of homes for the elderly, providing a new, high quality care home in a sustainable location.
- Provision of a new primary school, with potential for expansion.
- Provision of new, high quality flexible floorspace within the local centre, attracting inward investment.
- Providing a new public park within the south of the site, connecting Tanworth Lane with the existing green infrastructure network.
- The provision of varied types of new open spaces throughout the new community promoting active travel and connecting people with nature.
- Supporting active travel and healthy lifestyles through close proximity to retail and services provision and a package of sustainable transport measures which reduce the need to travel by car and improve access to public transport.
- Provision of new sports facilities and equipped play areas, addressing shortfalls.
- Environmental improvements, including new tree planting and a biodiversity gain of at least 10%.
- New homes built to high energy efficiency standards, enabling future occupants to reduce their energy and water consumption.
- Creation of new local jobs and increased local spending.

7.75 It is clear that the proposed scheme will deliver substantial planning benefits. The myriad of positive impacts from the development are such that they significantly and demonstrably outweigh any identified harm.

7.76 As part of the proposed development, it has been concluded there will be "*less than substantial harm*" to heritage assets. Given these effects, both heritage and planning legislation need to be considered in assessing the overall acceptability of the proposals. These are separate but overlapping provisions, with it being made clear through the Courts that the overall effect of the proposals on heritage matters – including effects on the setting of nearby listed building(s) – are to be considered first to arrive at an overall judgement on effects, with the conclusion then becoming part of the basis for planning consideration based on conformity with the statutory development plan and other material considerations.

7.77 In respect of both of this harm, it is considered that the relevant tests set out are met and that within the overall planning balance, the benefits of the scheme outweigh such harm and do so comprehensively.

7.78 Overall, this is a highly sustainable site which was proposed for allocation within the now withdrawn draft Local Plan, shown above to comply with overall provision of the statutory development plan, with no significant material factors weighing against the proposal. It will deliver significant planning and social value benefits from the delivery of new homes (including affordable, elderly and self-build), new education and community infrastructure and new accessible green infrastructure. In this context, the benefits arising taken together from this development clearly and demonstrably, significantly outweigh its adverse effects.

8.0

Planning Obligations and Conditions

8.1 Government guidance on planning conditions and obligations is set out in the NPPF (2023) and PPG.

8.2 The NPPF (Paragraph 55) states that LPAs “*should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition*”.

8.3 The NPPF also notes that planning conditions should be kept to a minimum and only imposed where they are “necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects” (Paragraph 56). PPG notes that they should tailored to tackle specific problems, rather than standardised or used to impose broad unnecessary controls.

8.4 In relation to obligations, Paragraph 57 of the NPPF states that these should only be sought where they are:

- a Necessary to make the development acceptable in planning terms;
- b Directly relevant to the development; and
- c Fairly and reasonably related in scale and kind to the development.

8.5 The scale of the application will give rise to certain infrastructure requirements, the vast majority of which will be met through the detailed design and delivery of the proposal. However, some requirements will need to be secured through planning obligations and conditions, the scope of which will be discussed during the determination of the planning application, in light of the accompanying material and the outcome of the statutory consultation on the planning application.

8.6 It is also noted that Solihull have Community Infrastructure Levy (CIL) Charging Schedule adopted in July 2016, with varying rates for residential development (Class C3), residential institutions (Class C2), retail development (Class A1), as well as restaurants/cafes (Class A3). The infrastructure covered by the Council’s Charging Schedule includes roads and other transport facilities, schools and other educational facilities, flood defences, medical facilities, open spaces and sports and recreational facilities.

8.7 The proposed development will be liable to pay CIL, however the liability will be calculated at reserved matters stage. Each phase of the proposed development will be treated as a separate development for the purpose of paying CIL; this will be captured within an informative condition to confirm phased development.

Conditions

8.8 It is anticipated that the planning permission will be subject to numerous conditions and the applicant welcomes the opportunity to discuss these with the Council as consultee responses are received and the application progresses. The wording and structuring of the conditions should enable the development to proceed in phases over an extended period of time. At a very high-level, it is expected that conditions around the following will be necessary:

- Conditions setting out approved drawings and documents for both the detail (access) and outline elements.
- A condition setting out a timescale for implementation of the permission including a timescale for submission of a first reserved matters application and a timescale for submission of all reserved matters.
- Conditions limiting the amount and use of the development. This is to ensure the nature of development permitted reflects that sought and tested (e.g. via the Environmental Impact Assessment) and will for example include residential amounts (maximum units) and other amounts and uses (maximum floorspaces).

Draft S106 Heads of Terms

8.9 At this stage, it is envisaged that the proposed development would make provision for, or a contribution towards, the following as part of a S106 Agreement:

- 40% affordable housing provision;
- Open space and play area provision;
- Self-build units;
- Provision (and transfer) of the school land;
- Transport mitigation package in relation to the A34 corridor and cumulative Blythe developments;
- Provision of the Travel Plan;
- Monitoring and implementation contribution for the Travel Plan; and
- Transport contributions towards the provision of pedestrian crossings on Dog Kennel Lane.

9.0 **Summary and Conclusions**

9.1 This Planning Statement provides an assessment of the development at Land to the South of Dog Kennel Lane, Shirley in relation to national, strategic and local planning policy and guidance. This Statement has demonstrated that the proposed development will deliver a wide range of planning, housing, economic, social and environmental benefits. These are summarised below.

- 1 The delivery of up to 700 new homes to meet a range of housing needs, including the delivery of 40% of the scheme as affordable housing and 5% of market homes as self-build plots. In the context of Solihull's acute affordable housing needs, substantial shortfall in housing land supply and significant environmental (Green Belt) constraints, this represents a substantial benefit.
- 2 The delivery of a care home with up to 66-bedspace; this would make a significant and meaningful contribution to addressing the need for older people's housing in the Borough.
- 3 The site would deliver housing in a highly accessible location on the edge of the built-up area of Shirley, which promotes sustainable patterns of development and accords with the Council's spatial strategy for the Borough.
- 4 The scheme would deliver significant new and enhanced public open space, including a new public park, amenity greenspace, an improved pedestrian and cycle network, large, equipped areas of play and other natural landscaping areas, all of which provide increased opportunities for formal and informal recreation.
- 5 The provision and enhancement of sports facilities within the site will provide a significant public benefit, supporting the wellbeing of local residents and encouraging community participation.
- 6 The new homes would be designed to deliver a significant carbon efficiency saving from the implementation of fabric efficiency measures and on-site renewable energy sources, with each home constructed using timber frame systems, heated via air-source heat pumps, providing EV charging points and having solar photovoltaic panels on roofs.
- 7 Enhancements to the Green Belt would be supported, including opening up formal access and routes through currently private and inaccessible Green Belt land and improvements to the quality of connections to the PRoW network and surrounding environment.
- 8 The provision of new housing, a primary school and local centre will make an important contribution to the local economy and community, through the creation of new jobs, construction investment, additional economic output, and significant increases in local spending.
- 9 The scheme would deliver downstream flood risk betterment through the improved management of surface water runoff from the site and increased floodplain storage on the site.
- 10 The site would further support the community, health, and wellbeing of new and existing residents in the local area by increasing the choice and availability of affordable housing and housing for older people, providing significant private amenity

space and high-quality, useable open space and supporting employment needs in the Borough.

- 11 Biodiversity enhancement (and net gains) would be achieved through the development, supporting the local ecological network.
- 12 Financial contributions towards the provision or improvement of infrastructure and community facilities in the Borough, as deemed appropriate by the Council.

9.2 The proposed development embodies the principles of sustainable development promoted throughout the NPPF and it also complies with relevant objectives and requirements of the statutory Development Plan, as well as relevant, more recent evidence and local planning policy.

9.3 In the Green Belt context, it is considered that limited planning harm arises from the proposed development and that this harm is more than outweighed by the wider public benefit that the scheme would generate (as set out above). There is a clear need to release Green Belt land to meet needs in Solihull, and this Statement has determined that Very Special Circumstances exist for the site. As such, the site accords with NPPF Paragraph 153 and the Statutory Development Plan (Solihull Local Plan 2013) at Policy P17. We consider there are no other material considerations which would support a refusal of permission and conclude that outline planning permission should therefore be granted.

Appendix 1

Meeting Housing Needs (including Affordable Housing) Statement

Meeting Housing Needs (including Affordable Housing) Statement

Number, Mix, Tenure and Floorspace

1.1 The proposed development is for up to 700 new homes (Class C3), including 40% (up to 280) affordable homes and 5% self-build provision within the market element (up to 21 plots). The proposed development also includes the potential provision of a new care home with up to 66 bedspaces (Class C2).

1.2 The 40% affordable housing provision will be secured via a S106 Agreement, to be agreed before any decision on the application is issued. The proposed affordable housing will comprise 65% social rented homes and 35% shared ownership homes. This level of provision is in accordance with Solihull Local Plan (2013) Policy P4, as well as the withdrawn draft Local Plan (2020) Policy P4A.

1.3 At this stage and as an outline planning application, the precise housing mix, in terms of type (house, apartment, etc.) and size (number of bedrooms) is not submitted for approval at this stage. The location of affordable housing would also be detailed at reserved matters stage but, in line with policy, would be designed to be tenure blind and 'pepper potted' avoiding large affordable housing clusters where possible.

1.4 The Planning Statement does however provide an indicative mix for the proposed development, with indicative ranges for each tenure proposed, split by size. The precise housing mix, within that range, will be specified at (each) reserved matters stage, taking account of the cumulative delivery mix to that point. This approach will allow flexibility, within those ranges, to reflect the need for housing at the time of submission of each reserved matters application.

1.5 The indicative mix for the proposed development is as follows:

Illustrative Housing Mix (Market, Affordable and Self-Build)

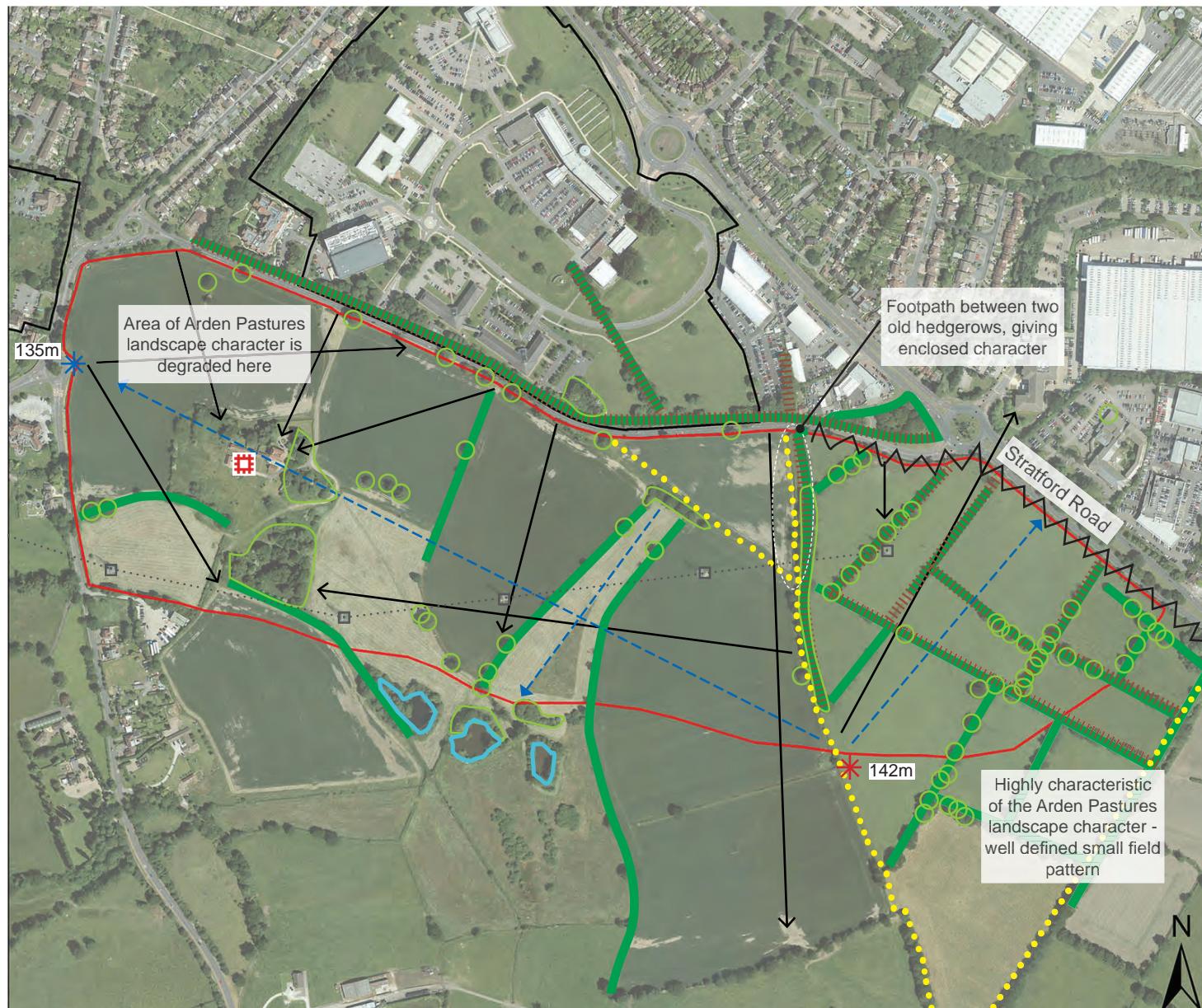
	1-2 bed	3-bed	4+ bed
Market	20-30%	50-60%	20-30%
Social Rent	20-30%	70-80%	0-5%
Shared Ownership	35-45%	55-65%	0-5%

1.6 Full details of the proposed (affordable) housing provision will be submitted at reserved matters stage.

Appendix 2

SMBC Concept Masterplan – Site BL2

Landscape Assessment – Site BL2



Landscape constraints and opportunities

- Site boundary
- PRoWs/Paths
- Pond/water body
- Historic hedgerows (as marked on First edition OS Map 1888)
- TPO trees
- Significant Trees / tree groups
- Green Infrastructure
- Listed building/heritage asset
- Slope direction
- 135m Low point
- 142m High point
- Views
- Notable habitats (Refer to Ecological Assessment)
- Strong landscape boundary

SMBC Illustrative Concept Masterplan: Sites BL2 & BL3



Appendix 3

Officer's Report to Full Council and Position Statement, 8 October 2024

Meeting date:	8 th October 2024
Report to:	Full Council
Report title:	Examination of the Solihull Local Plan and Next Steps for Plan Making in Solihull.
Report from:	Councillor Ian Courts, Leader of the Council
Report author/lead contact officer:	Mark Andrews, Head of Planning, Design & Engagement Services and Gary Palmer, Group Manager – Policy & Engagement.

Wards affected:

- All Wards | Bickenhill | Blythe | Castle Bromwich | Chelmsley Wood |
- Dorridge/Hockley Heath | Elmdon | Kingshurst/Fordbridge | Knowle |
- Lyndon | Meriden | Olton | Shirley East | Shirley South |
- Shirley West | Silhill | Smith's Wood | St Alphege

Public/private report: Public

Exempt by virtue of paragraph: NA

1. Executive Summary

- 1.1 This report sets out the latest position on the examination of the Solihull Local Plan and seeks approval to (a) withdraw the Plan from examination and (b) confirm next steps in plan-making for the Borough.
- 1.2 The Draft Submission Plan (2020) was submitted for examination in May 2021. Whilst many aspects of the Plan were found to be acceptable, and/or capable of being made sound through modifications, the Inspectors have concluded that there was a shortfall in the land supply needed to meet the housing requirement.
- 1.3 To address the shortfall additional sites would need to be identified for development, and it would be inevitable that they would be Green Belt sites. Although changes to national planning policy appeared to provide the basis for addressing the Inspectors concerns without further Green Belt release, this did not prove to be the case. Furthermore, the new Government has now published a draft National Planning Policy Framework (NPPF) that directs more housing to rural areas, and away from urban

centres¹.

- 1.4 The Inspectors have concluded that the Local Plan should be withdrawn.
- 1.5 It will now be necessary to start preparing a new Plan. Under the terms of the Draft NPPF published in July 2024, the Council would have been required to start to prepare a new Plan in 2025 even if the Plan at examination had been found sound and been adopted in early 2025.

2. Decision(s) Recommended

- 2.1 That Full Council agree that:

- 2.2 The Draft Submission Local Plan (October 2020) be withdrawn from examination.
- 2.3 The Position Statement set out at Appendix B provides an initial basis from which to support the commencement of a new Local Plan.
- 2.4 Preparatory work (including evidence base refresh and a call-for-sites exercise) required for the ongoing production of a new Plan commence with immediate effect.
- 2.5 An updated Local Development Scheme be reported to the Cabinet Member for Climate Change and Planning at the earliest opportunity.

3. Matters for Consideration

Examination of the Solihull Local Plan

- 3.1 Following Council approval in October 2020, the [Draft Submission Plan](#) was published for consultation and was then subsequently submitted for independent examination in May 2021.
- 3.2 The Examination in Public (EiP) included hearings that took place from September 2021 to July 2022.
- 3.3 In [September 2022](#) the Inspectors wrote to the Council setting out their conclusion that the land supply in the Plan was not wholly justified and that there would be a shortfall of around 1,700 dwellings over the plan period². They invited the Council to indicate how it intended to address the issue. Given the nature of the land supply in the Borough, to address this shortfall would mean the identification of further Green Belt land release.
- 3.4 In December 2022 the Government published a draft National Planning Policy Framework (NPPF) which included amendments to national Green Belt policy that would allow Local Planning Authorities (LPA) discretion as to whether to carry out a Green Belt Review³. It was indicated that the revised NPPF could be published as

¹ This includes proposed changes to the Standard Methodology for calculating local housing requirements. For Solihull Borough the effect of this proposed change would increase the local housing requirement from c866 homes per annum to 1,317 (a 52% increase). The proposed changes remain subject to the new government's consideration of the recent consultation process.

² Whilst they were content that the NEC is an appropriate location for residential development, they had significant doubts that the site would deliver on the scale envisaged during the plan period, they therefore reduced the expected capacity at the site from 2,240 dwellings to 500 dwellings. The Council sought to challenge this reduction in anticipated supply.

³ Paragraph 145 of the NPPF (December 2023) went on to state: “Once established, there is no requirement for Green Belt boundaries to be reviewed or changed when plans are being prepared or updated. Authorities may choose to review and alter Green Belt boundaries where exceptional circumstances are fully evidenced and justified, in which case proposals for changes should be made only through the plan-making process.”

early as spring 2023.

- 3.5 It was considered that such changes to national planning policy would allow the Inspectors concerns to be addressed without the need for further Green Belt land release. However, as it was not yet confirmed national policy it could not yet be given full weight and therefore in March 2023 it was agreed with the Inspectors that the EIP be paused pending confirmation of the NPPF.
- 3.6 The publication of the finalised NPPF was delayed, and it wasn't issued until December 2023. This included transitional arrangements that weren't included in the draft. The Inspectors then wrote to the Council on the 11th January 2024.
- 3.7 In February 2024 the Council wrote to the Inspectors indicating that although not directly relevant to the examination of the Plan (due to the unexpected introduction of transitional arrangements), the new NPPF had indirect impacts, and that the Inspectors should invite all stakeholders to make representations on how the new NPPF should be taken into account. No response was received.
- 3.8 In May 2024 the Council wrote again to the Inspectors highlighting a number of areas where there had been a change in circumstances, for instance, an updated land supply, and requested that a formal opportunity be given to provide updated evidence.
- 3.9 In the continued absence of a response, in August 2024 the Council provided updated evidence to the Inspectors.
- 3.10 On the 4th September 2024, the Inspectors replied to the Council's correspondence from February and May; and addressed the updated evidence that the Council had provided in August. A copy of this letter is provided as Appendix A to this report.
- 3.11 In short, the Inspectors concluded that:
 - a) Local Housing Need should be recalculated with latest affordability data. This increases the Borough's own needs from 816 dwellings per annum (dpa) to 866 dpa.
 - b) The 2,000-dwelling contribution to unmet need in the Housing Market Area (HMA), and its delivery by 2031, is a fundamental aspect of the Local Plan and duty-to-cooperate.
 - c) There is no justification to reprofile the stepped housing requirement.
- 3.12 Even on the basis of the Council's updated land supply⁴, there would still be a shortfall of 1,691 dwellings over the whole plan period, and no five-year land supply upon adoption of the Plan. It is worth noting that this figure is similar to the shortfall created by the Inspectors' decision to reduce the housing supply at the NEC by around 1,700.
- 3.13 Despite the Council setting out a way the examination could proceed in a positive and pragmatic manner on a number of occasions, including with the support of neighbouring authorities and key stakeholders, the Inspectors have concluded that such options cannot be accepted. They are of the view that for the reasons outlined above the Plan is unsound and cannot be made sound within a short/acceptable period of time. They have also maintained their position that the Plan cannot progress on the basis of an early/immediate review.
- 3.14 Whilst two options are provided at the end of the Inspectors letter, both reach the same

⁴ Which had not been subject to testing through the examination process.

conclusion which is that the Plan should be withdrawn. To withdraw the Plan a resolution from Full Council is required.

3.15 Despite the Inspectors' conclusion, it should be noted that the examination had established the following:

- a) That the duty-to-cooperate had been complied with.
- b) The overall spatial strategy of the Plan is appropriate.
- c) The housing allocations are, in principle, appropriate (and by implication this supports the site selection methodology).

Next Steps for Plan Making in Solihull

3.16 It is a statutory requirement that Local Planning Authorities (LPAs) have an adopted development plan, and the new Government is keen to ensure universal up-to-date local plan coverage is in place to help deliver a commitment to providing 1.5million homes during the parliament. If a LPA fails to have a Local Plan in place it does run the risk of intervention from the Secretary of State. It is notable that the recent consultation on changes to the national planning system include a review of intervention powers.

3.17 If Full Council resolves to withdraw the Draft Submission Plan, the Council will need to start preparing a new Plan, the first steps of which includes refreshing the evidence base that supports plan-making and a call-for-sites exercise. A revised Local Development Scheme (LDS) will be prepared and presented to a meeting of the Climate Change and Planning Cabinet for approval. This will include a timetable for progressing the new Plan.

3.18 In this context, the 2020 Plan will provide a strong foundation from which to progress the new Plan. This will have regard to the extensive consultation and work undertaken since 2015, including the relevant decisions taken by Full Council. It will also have regard to the supporting evidence base and respective correspondence made by the Inspectors thus far. As such, Appendix B sets out an initial Position Statement to support the development of the new Plan and the determination of relevant planning applications.

3.19 Work to update the evidence base that underpins the Plan making process will need to begin immediately should the Draft Plan be withdrawn. The extent of the update will vary between documents having regard to their age and content. Updates will also be informed by the ongoing changes to national policy, most notably the changes to the Standard Methodology for calculating local housing requirements. There will also be a need to make technical and factual updates to reflect changes in legislation etc and ensure the existing advice and commentary remains up to date.

3.20 It should be noted that under the [draft NPPF](#) published in July 2024, even if the emerging Local Plan had proceeded to adoption in early 2025, the Council would have needed to commence preparing a new Plan (using an updated formula to calculate Local Housing Need) in summer/autumn 2025⁵.

Emerging Planning Applications

⁵ The transitional arrangements in the draft NPPF indicated where the housing requirement in a plan that was already at examination (that would then go on to be adopted) is more than 200 dpa lower than the new formula indicates, it will be necessary to commence plan-making (under the new plan-making arrangements) on a new plan "at the earliest opportunity".

3.21 Following submission of the Plan for examination, a number of planning applications for the sites allocated in the Plan have been submitted, and further submissions can be expected. Whilst the Plan was being prepared weight could be given to its emerging policies when determining planning applications. The weight to be attached would be based on the stage the Plan had reached, the extent of unresolved objections and the degree of consistency with the NPPF. The letter from the Inspectors provided in [March 2023](#) set out that the housing site allocations are acceptable in principle. This letter remains a material consideration.

3.22 The approach to determining planning applications for the allocated sites was clarified through a report to the cabinet member for Climate Change and Planning on [25th July 2023](#). This confirmed that applicants must demonstrate 'Very Special Circumstances' (VSC) that clearly outweigh harm to the Green Belt for the application to be successful⁶. The fact that a site was allocated in the Plan can assist the VSC case. This is on the basis that for it to be allocated, the site is considered to be in a sustainable location that has least impact on Green Belt considerations compared with sites not allocated, which are either in unsustainable locations and/or are judged to have too great an impact on the Green Belt, or other material considerations. This remains relevant and is reflective of the points made in the Position Statement in Appendix B.

3.23 With the Plan being withdrawn, planning applications for the proposed allocation sites can no longer be described as in accordance with an emerging Plan. However, the evidence base underpinning the draft Submission Plan and the Inspectors correspondence in relation to the 'in principle' suitability of the draft sites can still have weight as material considerations in determining applications. Therefore, the approach set out in the July 2023 report remains relevant.

4. What options have been considered and what is the evidence telling us about them?

Examination of the Solihull Local Plan

4.1 The Inspectors' letter gives the Council two options:

4.2 To withdraw the Plan, or

4.3 Invite the Inspectors to proceed with their report that would inevitably recommend that the Plan not be adopted.

4.4 Asking the Inspectors to proceed with producing a report will add further time and expense. Whilst a formal report on the Plan may be useful in some respects, for example if they are able to confirm which policies of the Plan are sound, or how they may be amended to be sound, there is no guarantee that it will be drafted in such a way. They may simply report their findings on the fundamental element that they conclude is unsound, and say other soundness issues exist, but that they could be addressed through main modifications.

Next Steps for Plan Making in Solihull

4.5 The Council can either proceed to prepare a new Local Plan or delay further plan-making pending the introduction of new plan-making arrangements (introduced through the Levelling-Up and Regeneration Act (2023)) that are expected to be in place during

⁶ Two cases (site allocations ME1 (West of Meriden) and HA2 (Oak Farm, Caterine-de-Barnes)) have now been reported to Planning Committee and Members have been satisfied that the VSC case has been made and resolutions to grant planning permission were made.

summer/autumn 2025. A plan prepared under the existing plan making arrangements⁷ would need to be submitted for examination by December 2026.

5. Reasons for recommending preferred option

- 5.1 It is considered that time and costs associated with asking the Inspectors to prepare their formal report is not outweighed by the potential value of having such a report and therefore Full Council is being recommended to withdraw the Local Plan.
- 5.2 Having an appropriate, adopted plan in place as soon as possible remains a priority for the Council. As such, Members are recommended to confirm that work commences on preparing a new plan straightaway using the basis of the 2020 Plan as a framework from which to support its development. Having an adopted plan in place will be in the best long-term interests of the Borough by providing certainty to communities, developers, and investors.

6. Implications and Considerations

- 6.1 State how the proposals in this report contribute to the priorities in the [Council Plan](#):

Priority:	Contribution:
People and Communities: <ol style="list-style-type: none">1. Improving outcomes for children and young people in Solihull.2. Good quality, responsive, and dignified care and support for Adults in Solihull when they need it.3. Take action to improve life chances and health outcomes in our most disadvantaged communities.	An adopted Local Plan contributes, at least indirectly, to these priorities.
Economy: <ol style="list-style-type: none">4. Develop and promote the borough's economy, revitalise our town and local centres and maximise the opportunities of UK Central and HS2,5. Increase the supply of affordable and social housing that is environmentally sustainable.	An adopted Local Plan contributes directly, to these priorities.
Environment: <ol style="list-style-type: none">6. Enhance our natural environment, improve air quality and reduce net carbon emissions.	An adopted Local Plan contributes directly to this priority.

- 6.2 Consultation and Scrutiny:

- 6.2.1 Public consultation on the emerging Local Plan was undertaken in November 2015, December 2016, January 2019 and December 2020.

⁷ Under the Planning and Compensation Act (2004).

6.2.2 Consultation will be undertaken on a new Plan in accordance with the Council's [Statement of Community Involvement](#).

6.2.3 Member involvement in the preparation of the new Plan will be focussed in two ways:

6.2.4 The Economic Development, Managed Growth and Skills Scrutiny Board will consider the process for preparing the new Plan.

6.2.5 All Members will be involved (e.g. through workshops and other events) in order to help shape the content of the new Plan.

6.3 Corporate Parenting Implications

6.3.1 No direct implications.

6.4 Financial implications:

6.4.1 These fall into two areas:

6.4.2 Costs Associated with Preparing a New Plan – Staff costs associated with preparing a new Plan are included in existing budgets. Costs incurred in updating the evidence base, legal costs and examination are expected to arise over the period 2025/26 to 2027/28. By way of example the costs associated with progressing the Draft Plan to its current stage totalled approximately £1.3m since its commencement in 2015. This has been mainly funded from a Local Plan reserve which was created from Business Rates Windfall income through a previous Medium Term Financial Strategy process. For the reasons set out in this report there is potential to reduce the cost of delivering a new Plan (relative to this figure), although this will need to be considered in more detail as the Plan making process evolves.

6.4.3 Income – This relates to income received from new developments (for example Council tax and business rates) and is dependent on the development trajectories that will take place over a 15-year plus period. The Council also benefits from income received through planning application fees that may be associated with sites proposed for development within a Draft Plan.

6.4.4 Funding the costs associated with production of a new plan will need to be subject to consideration as part of the forthcoming Council budget setting process for 2025/26 – 2027/28 and will represent a further pressure on the Council's financial position. The remaining balance of the Local Plan reserve is £106,000. Income will be monitored closely to understand the impact of progress with the Local Plan.

6.5 Legal implications:

6.5.1 The Draft Submission Plan (2020) was prepared under the Planning & Compensation Act (2004) and was required to meet certain legislative tests (for example the duty-to-cooperate) as set out in that Act and soundness tests set out in the NPPF.

6.5.2 A revised Plan could be prepared under the 2004 Act or under revised plan-making arrangements due to be implemented under the Levelling Up and Regeneration Act (2023).

6.5.3 In terms of decision making, Section 38(6) of the Planning and Compulsory Purchase Act 2004 confirms that "applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise". The NPPF is clear that weight can be afforded to an emerging local plan subject to the stage it has reached in its development; the level of objections that

remain outstanding; and the degree of consistency with the NPPF. Once the draft Local Plan Review is withdrawn this aspect of the NPPF will no longer apply and the draft Plan cannot be afforded any weight in the decision-making process.

6.5.4 Notwithstanding, it is accepted that the supporting evidence base and relevant correspondence and recommendations made by the Inspectors are a material consideration. This also applies to the Cabinet Members decision of July 2023. The weight to be attached to such considerations as part of the planning balance will be subject to case specific circumstances and considered by the Planning Committee where applicable as part of the determination of future applications.

6.6 Risk implications, including Risk Appetite:

6.6.1 The withdrawal of the Draft Local Plan from examination has been recommended by the independent Inspectors. Following withdrawal, the 2013 Local Plan will remain the basis for determining planning applications. However, that Plan does not contain an approved housing requirement and the Council's housing land supply position will continue to be considered against the government's standard methodology.

6.6.2 The primary risks centre on the Council's limited housing land supply. Developers, landowners and site promoters may look to submit speculative planning applications for consideration and there is a genuine risk of planning by appeal. This could see less sustainable sites brought forward for development.

6.6.3 This is a primary reason for moving forward with a new Local Plan as quickly as possible. It also provides context for the continued relevance of the Cabinet Paper from July 2023 and the Position Statement set out in Appendix B.

6.6.4 Failure to progress a new Local Plan would ultimately present a risk of government intervention and a loss of local control and influence over plan-making in the Borough.

6.7 Equality implications:

6.7.1 None as a direct result of this report.

6.8 Linkages to our work with the West Midlands Combined Authority (WMCA) and / or the Birmingham & Solihull Integrated Care System (ICS):

6.8.1 Future potential changes to the duty-to-cooperate that may involve the WMCA may impact on preparing the new Plan. The Council is expected to retain a legal obligation to fulfil its responsibilities under the Duty to Cooperate when preparing a new Plan.

6.8.2 The position statement at Appendix B recognises the Council's continued commitment to the East Birmingham North Solihull corridor and that this should not be impacted by the withdrawal of the Local Plan Review.

7. List of appendices referred to

7.1 A – Letter dated 4th September 2024 from the Inspectors appointed to examine the Solihull Local Plan.

7.2 B – An initial Position Statement relating to the preparation of a new Local Plan.

8. Background papers used to compile this report

8.1 As noted with hyperlinks within the report.

9. List of Other Relevant Documents

9.1 None

SMB Local Plan Review – Position Statement – October 2024

The Inspectors' letter to the Council dated 4th September 2024 recommends that the Council withdraw the 2020 Draft Local Plan from examination.

The primary driver for the withdrawal of the Plan is the Inspectors' view on housing land supply.

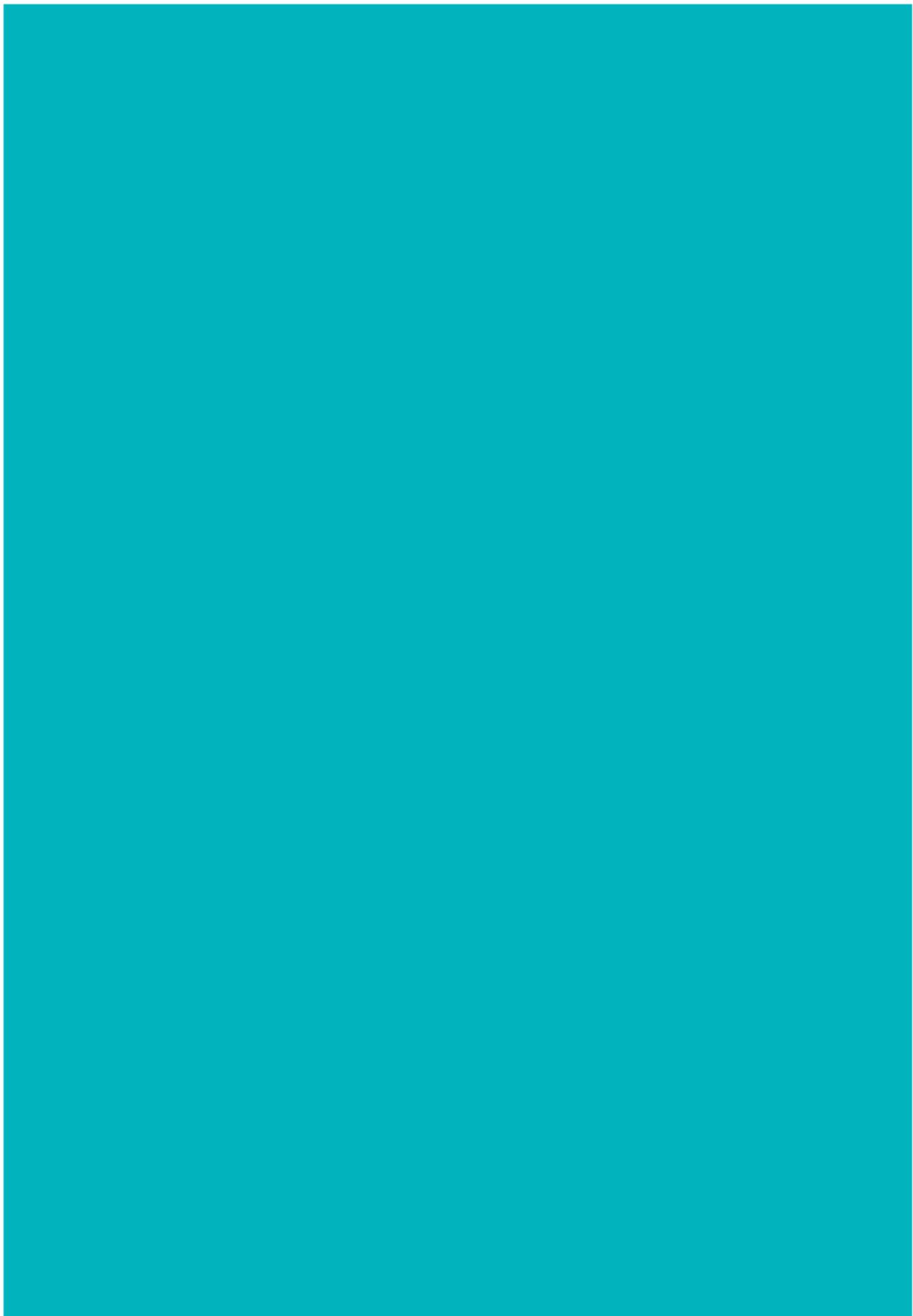
The Council is clear that the delivery of a new Local Plan is the best way to plan positively for the future sustainable growth of the Borough, including how best to meet residents' housing and economic needs as well as the supporting infrastructure. This position has not changed.

In that context the following points are intended to help provide a framework from which a new Local Plan will be developed for the Borough:

1. In accordance with the national policy requirements set out by the new government the Council will explore all opportunities to meet its housing and economic growth needs in a way that is sustainable and appropriate for the Borough.
2. To support this, the Inspectors letter of March 2023 recognised that the spatial strategy and site selection methodology was sound and justified and that the draft Local Plan sites identified in the Plan (with the exclusion of KN2) were acceptable in principle. This letter remains a Material Consideration in decision making.
3. The Cabinet Member report approved in July 2023 remains an agreed approach to helping assess and determine related planning applications. This highlights the importance of delivering the necessary infrastructure and comprehensive masterplans to help demonstrate Very Special Circumstances (in decision making) and Exceptional Circumstances (in plan making).
4. The mixed-use allocation at Arden Cross remains a focal point for delivery to help maximise the benefits associated with the arrival of HS2 in the Borough.
5. The development proposals at Mell Square and the wider proposals for development of new homes, commercial space and supporting infrastructure within the town centre remain an integral part of the Council's ambitions for growth and development.
6. The Council will continue to work with Birmingham City Council and the NEC to bring forward the delivery of new homes at the NEC – recognising its excellent position as a significant brownfield opportunity in the Borough.
7. Site KN2 was excluded from the Inspectors' commentary in March 2023. This reflected the disagreements with other interested parties in relation to the delivery of a new Arden Academy as part of that overall site. Should a sustainable, comprehensive solution be found that supports the redevelopment of the Academy alongside residential development then the Council (in its role as landowner and planning authority) will consider this based on its own merits.
8. The Council remains of the view that the multi-modal transport package for Balsall Common (which includes a proposed relief road and active travel measures) is an essential infrastructure requirement to support the delivery of new homes within the village. This should be reflected in assessing and determining relevant planning applications in Balsall Common.
9. The site referenced UK2 identified an area of land at Damson Parkway as a focal point for new employment growth. The identification of this site was supported by the evidence base which

underpinned the Local Plan review. This evidence base remains relevant and a material consideration.

10. A new local plan will have regard to maximising the opportunities around East Birmingham and North Solihull to support growth and regeneration.
11. The Council will seek to combat climate change and support high quality development that supports these ambitions.
12. The Council remains committed to maximising the benefits for its natural environment and will work with its neighbours to deliver the objectives of its Natural Capital Investment Strategy and Local Nature Recovery Strategy, as confirmed by the Cabinet Member in July 2024. This will provide an enhanced evidence base to support the new Plan.
13. The Council remains committed to the long-term preservation of the Meriden Gap – noting its strategic and environmental significance across the Borough and beyond. This was recognised in the 2020 Plan and will inform the new plan making process.



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